

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.346 of 2016 (O&M)
Date of Decision: June 01, 2017

Mandeep Singh

.....Appellant

versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.**

Present: Mr.Vipan Sharma, Advocate for
Mr.S.M.Sharma, Advocate, for the appellant.
Mr.Vivek Singla, Advocate, for the respondents.

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Surya Kant, J. (Oral)

This letters patent appeal is directed against the order dated 04.02.2016 whereby learned Single Judge has dismissed the appellant's writ petition in which he had questioned the decision to declare him unfit for appointment as SOL (CLK/SKT) AJAC in Indian Army. The appellant was declared unfit as he was found suffering from the ailment of Pterygium.

When this appeal came up for hearing on 15.03.2017, the following order was passed by this Court.

“.... The appellant was admittedly declared medically fit by the Army authorities before permitting him to appear in the written examination for recruitment for SOL (CLK/SKT) AJAC. He successfully qualified the written test. However, before his formal enrolment it appears that a Review Medical Board was held in which he was found to be suffering with an eye ailment of Pterygium.

The appellant got himself examined and has been declared medically fit by All India Institute of Medical Sciences at Delhi as well as Post Graduate Institute of Medical Education and Research Centre at Chandigarh.

Owing to the fact that two premier Institutes of the country have found the appellant medically fit, the above named ailment might be temporary in nature which has been now cured, it appears in the interest of justice to direct the respondent-authorities to again review the medical fitness of the appellant by constituting a Review Medical Board at the Army Research and Referral Hospital, New Delhi.

Ordered accordingly.

The authorities shall constitute the Medical Board and put the appellant to a fresh medical examination within a period of two months. The appellant shall be informed a week in advance the date of his medical examination. The report be submitted on the adjourned date.....”

In deference thereto, the respondents have produced the medical examination report of the appellant in which he has been again declared unfit due to eyes' ailment of Pterygium.

In this view of the matter, no case to interfere with the order under appeal is made out.

Dismissed.

[SURYA KANT]
JUDGE

June 01, 2017
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[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No