

Sr. No.113

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.30195 of 2018 (O&M)
Date of Decision: 29.11.2018**

Rohit Chauhan

... Petitioner

Versus

Union of India and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Varun Gupta, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

Inter alia contends that the petitioner successfully qualified in the written examination followed by Physical Fitness Test (PFT) for the post of 'Sailor' in the Indian Navy. However, in the preliminary medical review vide Annexure P-3, petitioner was non-suited on two grounds viz QAP Knock Knee and DNS Rt as per the review certificate issued by the Medical Officer.

Learned counsel for the petitioner contends that as per Annexure P-1 which is the advertisement/terms and conditions of the Selection Process, Sub Clause (e) of Clause 18 thereof, a candidate declared medically unfit in the Initial Medical Examination can appeal for specialist opinion in a Military Hospital on payment of Rs.40/-. Further contends that pursuant thereto, petitioner had deposited the fee on 27.09.2018 as per Annexure P-4. Notwithstanding, the petitioner has not been

granted the opportunity to avail of the said remedy of medical appeal.

In view thereof, the present writ petition is disposed of with a direction to respondent No.2 to conduct the medical examination as per clause 18 (e) *ibid* within a period of 03 weeks on the petitioner reporting to respondent No.2 with a certified copy of the order of this Court.

Disposed of.

29.11.2018

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No