

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2442 of 2012

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Nand Gopal Singh, son of Chandra Deo Singh, resident of Village-
Majhowan, Post Office - Ara, Police Station - Ara Nagar, District -Bhojpur At
Ara

... .. Petitioner

Versus

1. The Union of India through the Secretary, Government of India, Staff Selection Commission (CR), Allahabad, 8A/B Beli Road, Allahabad-211002.
2. The Secretary, Government Of India, Staff Selection Commissioner (CR), Allahabad, 8 A/B Beli Road, Allahabad-211002.
3. The Dy. Inspector General, SHQ SSB, Modern Agro Agencies Building, Chakkar Maidan, Muzaffarpur, Bihar
4. The Dy. Commandant (Med), Member, Member Board, SHQ, SSB, Muzaffarpur, Bihar.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Surendra Mishra, Advocate
For the Union of India	:	Mr. Anjani Kumar Sharan (A.S.G.)
For the SSC	:	Mr. Rajesh Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 28-02-2019

Heard learned counsel for the parties.

2. In this case, the petitioner is challenging the decision, whereby and whereunder the petitioner having been not allowed to participate in the Review Medical Board on the ground that he failed to supply the Stamp Envelop along with the Review Application for medical test.

3. Against the advertisement for selection and recruitment of Constables in the Border Security Force, Central



Industrial Security Force, Central Reserve Police Force and Sastra Seema Bal the petitioner applied and the written examination was conducted, wherein the petitioner was selected, but was found to be medically unfit to join the Armed Forces. In the medical test, two defects have been pointed out, namely, *Tinearis on groin and hip and Over weight*.

4. The petitioner applied for Review Medical Test, but as has been stated in the counter affidavit that he has not attached the Stamp Envelop, on that ground, he was not called for Review Medical Board.

5. Learned counsel for the petitioner submits that the petitioner has supplied the Stamp Envelop, may be misplaced somewhere and it is too technical ground for refusal to attend the Review Medical Board.

6. Having considered the rival contentions of the parties, this Court directs the Chairman of the S.S.B. to constitute a Review Medical Board afresh to assess the suitability of the petitioner for recruitment to the post of Constable in Armed Forces and if it is found that the petitioner is medically fit, the competent authority shall recommend the name of the petitioner for being appointed as Constable in the



Armed Forces. However, it is made clear that if the petitioner is found to be over age, then the question of his recommendation for appointment on the post of Constable, does not arise.

7. With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	02.03.2019
Transmission Date	

