

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

**104**

**CWP-3643-2019  
Date of Decision: 08.03.2019**

Sombir

... Petitioner

Versus

Union of India and others

... Respondents

**CORAM:- HON'BLE MR. JUSTICE ARUN MONGA**

Present:- Mr. M.S.Chahal, Advocate,  
for the petitioner.

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**ARUN MONGA, J.(ORAL)**

*Inter alia* contends that vide impugned medical examination report dated 27.07.2017 (Annexure P-6), the petitioner has been declared unfit on account of the fact that the period of four months has not lapsed after he got ear surgery (Tympanoplasty).

Learned counsel for the petitioner further submits that as per medical advice dated 15.05.2017 (Annexure P-2), he was advice to undergo a convalescing period of four months before undergoing further medical examination.

Learned counsel for the petitioner contends that the said period of four months has since long expired and the petitioner is now medically fit to undergo the fresh medical

examination.

Notice of motion.

Mr. Arihant Goyal, Advocate, accepts notice on behalf of the respondent-UOI.

Learned counsel for the respondent contends that the request of the petitioner for undergoing fresh medical examination qua the selection process for the year 2016 cannot be accepted at this stage as the entire selection process in the meanwhile has been carried out.

In view of nature of order being passed, I do not deem it appropriate to keep the matter pending as no further pleadings/proceedings are required. The present petition is disposed of with a direction to the respondents to consider the case of the petitioner for subsequent selection to be advertisement in future by carrying out a fresh medical examination of the petitioner in accordance with law and if the petitioner is found otherwise eligible, to consider his case appropriately.

**(ARUN MONGA)**  
**JUDGE**

**08.03.2019**

anju

Whether speaking/reasoned:  
Whether Reportable:

Yes/No  
Yes/No