

CWP-25137-2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-1968-CWP-2019
CM-1970-CWP-2019 in/and
CWP-25137-2018 (O&M)
Date of Decision: March 01, 2019

Rohit

... Petitioner

vs.

Union of India and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Manoj K.Tanwar, Advocate
for the petitioner.

Mr. S.K.Sharma, Advocate
for the respondent-UOI.

ARUN MONGA, J

CM-1968-CWP-2019

Allowed as prayed for. Exemption is granted from filing the true
typed and certified copies of Annexures R1 and R2.

CM-1970-CWP-2019

Prayer in this application is for placing on record reply by way of
affidavit on behalf of the respondent(s).

For the reasons stated in the application, the same is allowed.
Reply on behalf of the respondent(s) is taken on record.

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The present petition has been filed for issuance of a writ in the
nature of *certiorari* to quash the medical certificate dated 10.07.2018
(Annexure P2). Whereby, the petitioner was declared medically unfit in view
of having been diagnosed with 'Parapneumonia and Deranged Haemogram', as

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reflected from the medical certificate issued by Central Airman Selection Board, New Delhi.

2. Learned counsel for the petitioner contends that the Appellate Authority, vide its order dated 11.07.2018 (Annexure P3), constituted a New Medical Board which held the petitioner unfit on the ground of 'Deranged Haemogram'. He further states that the petitioner got himself medically examined at PGIMS, Rohtak. As per the medical certificate dated 06.09.2018 (Annexure P4), issued by PGIMS, Rohtak, it has been opined that the petitioner does not suffer from the above-mentioned disease.

3. Keeping in view the peculiar circumstances, I deem it appropriate to direct the respondent(s) to conduct a fresh medical examination of the petitioner by associating a freshly constituted Medical Board, preferably either at Army Research and Review Institute at New Delhi or All India Institute of Medical Sciences at New Delhi or at Postgraduate Institute of Medical Education and Research, Chandigarh, as per the choice of the respondent(s). Let the needful be done within a period of two months from the date of receipt of certified copy of this order.

4. Accordingly, the present petition is disposed of.

March 01, 2019
smriti

(ARUN MONGA)
JUDGE

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