

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

CWP-30772-2018.

Date of Decision: 18.09.2019

Akashdeep Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Raj Sumer Singh, Advocate for
Mr. Mansur Ali, Advocate
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab.

JITENDRA CHAUHAN J.

Through the instant civil writ petition filed under Articles 226 and 227 of the Constitution of India, the petitioner seeks directions to the respondents to consider his claim for appointment on the post of Constable.

It is contended that late uncle, father's brother, of the petitioner, PHG Volunteer Sukhjinder Singh, who was posted at Police Post Kot Sukhia, Police Station Sadar Faridkot was killed by extremists on 19.08.1990. Said Sukhjinder Singh was unmarried and issueless. His service benefits were paid to his mother, Smt. Manjit Kaur. Smt. Manjit Kaur had submitted an application for enlistment of her grandson, Akshdeep Singh (petitioner) son of Rajbir Singh as

Constable under the priority list instructions. The case of the petitioner was referred by SSP Faridkot to DGP Punjab as a special case vide letter dated 30.08.2017. The name of the petitioner was approved by the office of DGP, Punjab and the petitioner was allotted District Faridkot. He was sent for medical examination but he was found to be suffering from colour blindness in both the eyes and was declared by Professor and Head of Department of Ophthalmology, Government Medical Hospital, Amritsar, not fit for the job of Constable.

On the other hand, on behalf of the respondents, it is contended that though, it is admitted that the late uncle of the petitioner was killed in the terrorist attack yet the State had offered an appointment of Constable to the petitioner however, during medical examination, the petitioner was found to have been suffering from colour blindness in both the eyes and he was declared not fit for the post of Constable by a Board of Doctors headed by Professor and Head of the Department of Ophthalmology, Government Medical Hospital, Amritsar. Thereafter, the petitioner was offered a Class-IV post which was refused by him.

Heard.

It remains undisputed on record that vide medical report dated 04.10.2017 (Annexure P-7), the petitioner was found to have been suffering from colour blindness in both the eyes and he was declared not fit for the post of Constable. Furthermore, vide Medical Examination Report dated 14.09.2018 conducted by the PGI,

Chandigarh (Annexure P-12), the petitioner was again found not fit for the post of Constable. He has refused to be absorbed as Class-IV employee.

In view of the above, no ground for interference is made out.

Dismissed.

18.09.2019.

SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No