IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-8276-2018 (O&M)
Date of Decision:-08.01.2019.

Amarjit Singh

.....Petitioner

Versus

The Chief of the Army Staff through the Director General of Recruiting and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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Present: Mr. Nikhil Anand, Advocate for the petitioner.

Mr. Arun Gosain, Senior Panel Counsel for respondents-Union of India.

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ARUN MONGA, J. (Oral)

1.) The present writ petition has been filed for issuance of a writ in the nature of certiorari to quash the medical rejection dated 03.03.2018 (Annexure P-8) vide which the petitioner was found unfit for service in Army. The disability attributed to the petitioner is disability owing to "DEFORMITY OF TOES B/L".

2.) Learned counsel for the petitioner points out that as per the provisions of the recruitment directive for recruitment of JCOs and other ranks, 2014, directive 254 thereof, envisages that if a candidate is declared unfit in a review medical, he has a right to appeal against the same provided, of course, on a written request made thereafter. Learned counsel for the petitioner contends that despite written request dated 22.03.2018 (Annexure

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P-9) petitioner has not been granted the opportunity of the appeal/review medical.

3.) In the circumstances, the present writ petition can be disposed of without any further pleadings or proceedings with a direction to respondent No.3 to conduct the appeal/review medical board of the petitioner as per directive 254, *ibid.* On a query posed by this Court, learned counsel for the respondents states that he will instruct his clients to conduct the said appeal/review medical of the petitioner within a period of 4 weeks from today.

4.) Present petition is disposed of accordingly.

(ARUN MONGA)
JUDGE

January 08, 2019.
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Whether speaking/reasoned:- Yes / No

Whether Reportable:- Yes / No.

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