

Item No. 34

11.12.2020
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction

WPA No. 8810 of 2020
Abhisekh Rajbhar
v.
The Union of India & Ors.

Mr. Dhananjay Banerjee
... for the petitioner.

Mr. Debapriya Gupta
Mr. Sourav Mondal
... for the respondents.

The petitioner intends to join the Central Armed Police Force. He appeared in the written and physical examination wherein he qualified. He was declared medically unfit by the Medical Officer. The petitioner applied for review of his case and the Review Medical Board concurred with the opinion of the Medical Officer and declared the petitioner unfit.

The petitioner is aggrieved by the same. He prays for a direction upon the authority to examine him physically by an independent doctor.

The ground on which the petitioner challenges the medical report is that the reason for rejection is contrary to the rules. The petitioner relies upon the general ground for rejection during medical examination and

submits that the ground for rejection of his case does not fall within the same.

The prayer of the petitioner is opposed by the learned advocate appearing on behalf of the respondents.

I am not convinced with the argument of the petitioner. The petitioner was aware of the fact that the decision of the Review Medical Board was supposed to be final and no appeal ought to be entertained against the findings of the Review Medical Board in the review medical examination. After appearing in the examination and being unsuccessful therein the petitioner cannot turn around and pray for a direction for re-examination by another independent doctor.

In view of the above, no relief can be granted to the petitioner in this writ petition.

The writ petition being WPA No. 8810 of 2020 is dismissed.

Urgent xerox certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)