

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4692 of 2020**

Ku. Suman Deshmukh D/o Shri Bhoj Raj Deshmukh Aged About 22 Years
R/o H.No. 666, Ward No. 17 Village And Post Chandkhuri, District Durg
Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Through Secretary To The Government, Department Of Home Affairs, North Block, New Delhi, Delhi, 110001.
2. Director General CRPF (Recruitment Branch), East Block - 07), Level -4, Sector -1, R.K. Puram, New Delhi - 110066 (Ministry Of Home Affairs).
3. Controller Of Examination, Staff Selection Commission, Block No. 12, Cgo - Complex, Lodhi Road, New Delhi, 110003.
4. Regional Director Staff Selection Commission, M.P. Region, Office At 5th Floor, Investment, Building, LIC Complex, Pandri, Raipur, Chhattisgarh 492004.
5. Director AIIMS Raipur Gate No. 1, Great Eastern Road, Opposite Gurudwara, Tatibandh, Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Mayank Chandrakar, Advocate
For Respondent No.1	:	Mr. Surendra Kumar Dewangan, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/11/2020**

1. The grievance of the petitioner in the present writ petition is the action on the part of the respondents in disqualifying the petitioner from being considered for selection to the post of Constable in the CRPF.
2. Perusal of the record would show that the petitioner after having participated in the first round of selection was found fit and thereafter she was called for medical examination and it is at that

point of time when the respondents Department found that there were certain white patches on the body of the petitioner on the basis of which the Doctors of the CRPF Department on 31.01.2020 declared the petitioner unfit on account of the fact that she suffers from skin disease known as 'Vitiligo'. Vide the said order it was communicated to the petitioner that if she wants, she can prefer an appeal in accordance with the Rules.

3. The petitioner is said to have preferred an appeal and she was also examined by the Doctors of the All India Institute of Medical Science at Raipur, where the Doctors have not found the report of the Doctors of the CRPF to be wrong or erroneous. The only report, which the Doctors at the All India Institute of Medical Science at Raipur have given is that the skin disease Vitiligo is a non-communicable extraneous disorder and that it would not in any manner affect the physical performance of a person and that it is only a minor cosmetic problem on the skin. This report and opinion would not mean that the Doctors at the All India Institute of Medical Science at Raipur have held that the petitioner does not suffer from Vitiligo.
4. The Rules and regulations governing the recruitment specifically envisages certain general medical guidelines and there are also certain general grounds for rejection during medical examination provided in the regulations itself and one of the grounds for rejection of her candidature of a person also is that of is skin disease Vitiligo. If the Rules governing the field provides for rejection of a candidate on medical ground, if he/she is suffering

from the skin disorder of Vitiligo and if the authorities having taken a decision in accordance with the said regulations, the action on the part of the respondents cannot be said to be in any manner illegal or contrary to Rules.

5. Another aspect, which strikes the conscious of this Court is the fact that inspite of the two orders, one by the Doctors of the CRPF and other report of the All India Institute of Medical Science at Raipur. The petitioner of her own has not produced any medical document, by which it could be established that she is not suffering from the skin disorder Vitiligo as has been found by the Doctors in the Department as also at All India Institute of Medical Science at Raipur. Moreover, the said ground of a person's candidature getting rejected on this skin disorder Vitiligo also is not under challenge in the present writ petition.
6. Under the circumstances, this Court does not find any strong case made out by the petitioner calling for an interference with the action or order passed by the respondents in rejecting the candidature of the petitioner from being considered for the post of Constable on medical ground.
7. The writ petition thus fails and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved