

**113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.7721 of 2020 (O&M)
Date of decision : June 04, 2020**

Vikas Petitioner

Versus

Union of India and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Balraj Singh Rathee, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

In the present writ petition, the claim of the petitioner is that the petitioner competed for a selection as Airmen and cleared the written examination but was declared unfit in the medical examination. The petitioner filed an appeal and before the petitioner was to appear before the Appellate Medical Board, he underwent a surgery so he could become fit for the selection to the post of Airmen.

Learned counsel for the petitioner states that after the petitioner underwent surgery, he appeared before the Appellate Medical Board and the said Medical Board refused to examine him in that state and rejected his claim summarily. Learned counsel for the petitioner further states that after the surgery, which the petitioner had undertaken, he is fully fit for the post of Airmen. Petitioner prays that a direction be issued to the respondents for considering his claim for appointment of the post of Airmen now.

Learned counsel for the petitioner further states that for the claim which has been made in the present writ petition, petitioner has made

a representation dated 08.04.2020 (Annexure P-13) to the competent authority, which is still pending consideration and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.3 to decide the same by passing an appropriate speaking order in accordance with law.

Notice of motion.

Mr. Sunil Kumar Sharma, Advocate, who has also joined proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of UOI and raises no objection in deciding the claim of the petitioner as being made by him in a representation dated 08.04.2020 (Annexure P-13) in a time bound manner by passing a speaking order as per the settled principle of law.

In view of the request made, without expressing any opinion on the merits of the case or on the claim being made by the petitioner, respondent No.3 is directed to decide the representation dated 08.04.2020 (Annexure P-13), by passing a speaking order within a period of one month.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

June 04, 2020

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Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No