

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

202

CWP No.22168 of 2019

Date of Decision : 11.02.2020

Mohit

....Petitioner

v/s

State of Haryana and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Akshay Jindal, Advocate for the petitioner.
 Mr. Harish Rathee, Senior DAG, Haryana.
 Mr. Amit Rao, Advocate for *Pt. B.D. Sharma University*.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Article 226 of the Constitution of India, is for the issuance of a writ of mandamus for directing respondent No.1 to get conducted a fresh Physical Measurement Test (PMT) of the petitioner from any medical institution like PGI, Chandigarh or PGI, Rohtak in view of conflicting opinions submitted by Medical Officer, Panchkula vide Annexure P-3 dated 13.07.2019, whereby the vision of the petitioner was declared not to be 6x6 in both eyes, whereas as per the opinion of the Medical Officer, Panipat vision of the petitioner was found to be 6x6 in both eyes vide report Annexure P-4) dated 15.07.2019.

[2] Pursuant to the order of this Court dated 20.12.2019, the respondents were directed to get the petitioner medically examined from Pt. B.D. Sharma University of Health Sciences/PGIMS, Rohtak by constituting a board comprising competent Ophthalmologists and Optometrists who would

verify the eye sight and submit a report in a sealed cover on or before the next date of hearing.

[3] Report of the Medical Board of Regional Institute of Ophthalmology, Pt. B.D. Sharma University of Health Sciences/PGIMS, Rohtak dated 06.01.2020 has been placed on the record. The same reveals the following result of the medical examination of the petitioner:-

<i>Vision</i>	<i>Unaided</i>	<i>Aided</i>	<i>Power of glass</i>
	<i>R/E – 6/6P</i>	<i>6/6</i>	<i>-0.25 DC x 180</i>
	<i>L/E – 6/9</i>	<i>6/6</i>	<i>-0.5 DS x -0.25DC x 180</i>

[4] The same is inconsonance with the report given by the medical examination report given in Annexure P-3 dated 13.07.2019. The report (Annexure P-3) mentions that the vision of the candidate is not 6x6 in both eyes.

[5] Report of the Medical Board dated 06.01.2020 has been perused by the petitioner who is present in Court, as well as by learned counsel for the petitioner, whereupon learned counsel for the petitioner on instructions of the petitioner states that he does not press the writ petition any further.

[6] In the light of the position as noted above, the writ petition is ***dismissed***, as not pressed.

(B.S. Walia)
Judge

February 11, 2020
'Rajneesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No