

20.01.2021.
Item no. 71.
Court No.13
ap

**W.P.A. No. 139 of 2021
(Through Video Conference)**

**Sk. Saip Rahaman
Versus
The State of West Bengal & Ors.**

Mr. Prasenjit Debnath,
Ms. Punam Basu.

...For the petitioner.

Mr. Puspall Chakraborty.

...For the respondent nos.2 to 4.

Affidavit-of-service and the copy of the norms of
WBSEDCL under Office Order dated 6th May, 2010 are
kept with the record.

The writ petitioner's grievance is that he was
found successful for the post of Assistant Engineer
(Civil) but in course of medical examination, he was
declared unfit for having Type-I Diabetes. The
petitioner is 25 years old.

Counsel for the Corporation would rely upon
their recruitment norms and standards for medical
fitness which, inter alia, stipulated that a person with
Type-1 Diabetes should be declared unfit irrespective
of age and the persons with upto the age of 35 with
any type of diabetes would also be declared unfit.

The petitioner would rely upon a certificate
issued by the Medical Officer of the S.S.K.M. Hospital
dated 17th September, 2020 where he was declared fit
for administrative and/or Engineering work.

This Court is unable to countenance the said certificate. In any event, the petitioner's medical reports were re-verified by the Chief Medical Officer of West Bengal State Electricity Distribution Company Limited, where it was found that he had a new onset T2DM.

Since the norms and standards of WBSEDCL prescribe a bar against engagement of the petitioner in view of his medical condition, no relief can be granted to the writ petitioner in this proceeding.

In view of the above, the instant writ application is hereby dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)