

22.02.2021.
Item no. 63.
Court No.13
ap

**W.P.A. No. 2960 of 2021
(Through Video Conference)**

**Bhishma Kumar Singh
Versus
Union of India & Ors.**

Mr. Angshuman Chakrabarty,
Mr. Shivaji Mitra.

...For the petitioner.

Mr. Partha Ghosh,
Mr. Jayanta Kumar Pain.

...For the UOI.

The writ petitioner was participated in the examination for the post of Constable GD in C.R.P.F. conducted in the year 2014.

The first Medical Officer found that the petitioner was unfit on the ground of squint and a “low standard of distant vision”.

The petitioner approached a Civilian Hospital, which certified that the petitioner did not have any squint and that there was no deficiency in the petitioner’s vision.

Based on the above, the Review Medical Board of the B.S.F., which is a Nodal Agency, took up the matter and confirmed the views of their first Medical Officer. The petitioner was unfit medically on the ground of squint, by the Review Medical Board.

Counsel for the petitioner would argue before this Court that firstly, that the Review Medical Board did not refer to any expert opinion or investigation

report in terms of the Guidelines prescribed therefor. He further submits that the Civilian Doctor's report was not considered by the Review Medical Board and he, therefore, prays that his client's case must be referred to an independent Medical Authority for the purpose of examination afresh.

This Court is of the view that two independent Authorities in the hierarchy of the BSF and the Medical Team have concurrently found the petitioner unfit on the ground of squint. The opinion of the Civilian Doctor is not binding on the Medical Doctor under the C.R.P.F. The C.R.P.F. have their own Guidelines for ascertaining the suitability of candidates. A writ court cannot sit in appeal over the same. A defect in the nature of a squint of a candidate, does not require proof of any expert opinion or investigation.

The opinion of the Review Medical Board does not call for any interference.

Hence, the instant writ application must fail and 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.)

