

Item No. 6

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

06.01.2021
Ct-24

W.P.A. 10076 of 2020
Koushik Paul
v.
Union of India & Ors.

Mr. Victor Chatterjee
Mr. B. Basak
... for the petitioner.

Mr. Partha Ghosh
Mr. Nilanjan Bhattacharya
Mr. Ashok Prasad
... for UOI.

The petitioner aspires to join the CAPF. He was declared medically unfit by the Medical Officer on the ground "Visual Acuity both eyes 6/9". The petitioner thereafter get himself checked up by the State Government Hospital wherefrom a certificate was issued in his favour that his vision was 6/6. The Review Medical Board again conducted the medical examination of the petitioner and was of the opinion that the petitioner was unfit due to defective vision 6/9 in both eyes.

The petitioner is aggrieved by the same. The petitioner submits that as the medical examination for the eyes in respect of the paramilitary force and the State Government Hospital are the same the recruiting

authority ought to take into consideration the certificate issued by the State Government Hospital in his favour.

The petitioner prays for a direction upon the respondent authority for re-examining him. The petitioner has also raised a point of mala fide in his writ petition but does not press the same.

It appears from the records that the petitioner was given due opportunity to get himself tested both before the Medical Officer and before the Review Medical Board. The doctors of paramilitary force have examined the petitioner and have come to an unanimous decision that the petitioner had defective vision and accordingly was unfit to join the paramilitary force.

The parameters for assessment of the medical fitness of a candidate in respect of a paramilitary force are distinctly different from that of a civilian. The doctors of the paramilitary force are the experts to decide and take an opinion whether to recruit a prospective candidate in the paramilitary force. The authorities have considered the case of the petitioner twice and have found him to be unfit for the job. The Court does not find any fault in the decision making process and accordingly is not minded to interfere in this matter. The prayer of the petitioner stands rejected.

WPA No. 10076 of 2020 is dismissed.

Urgent photostat certified copy of this order, if applied for be given to the parties after completion of all legal formalities.

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(**Amrita Sinha, J.**)