

02.05.2022
Sl. No.4
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1320 of 2022

Tanmoy Sarkar
Vs.
Union of India & Ors.

Mr. Ujjal Roy

....for the petitioner.

Ms. Jayita Dhar

....for Union of India.

The petitioner was sent for a medical examination by the Command Hospital, Kolkata to ascertain about his medical fitness to perform the duties of a Sub-Inspector in Delhi Police and Central Armed Police Forces (CAPFs), for which the petitioner was successful up to the stage of medical fitness in a selection process held in the year 2019. The Command Hospital, Kolkata has medically examined the petitioner and certified that he is medically fit for the duties as Sub-Inspector in Delhi Police and CAPFs.

After considering the report, I find an independent body after having examined the petitioner in terms of the direction given by this Court has found the petitioner to be medically fit for duties, I have no hesitation in accepting such report by an expert body.

In the aforesaid facts and circumstances, the respondents are directed to take necessary steps considering the petitioner to be medically fit for the post for which he had been selected. The Appointing Authority shall, on fulfilment of other criteria, consider the petitioner medically fit for the post and take necessary steps including granting the appointment to the petitioner within a period of four weeks from date.

Although the respondents are represented through advocate yet by way of an abundant caution, the petitioner shall serve a server copy of this order on the respondents and the respondents shall act on the basis thereof without insisting upon production of a certified copy of such order.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)