

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16665 of 2021

Soumen Ghosh
Vs.
Union of India & Ors.

Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh
... For the petitioner

Mr. Ajit Kumar Chaubey
Mr. Vinayak Chaubey
... For Union of India

The challenge in this writ petition is an order dated 18th August, 2021 passed by the Commandant, GC, CRPF, Durgapur (WB) by which pursuant to a medical examination report dated 9th April, 2021 and a review medical examination dated 25th May, 2021, the offer of appointment for the post of Constable/General Duty (Male) (CT/GD) in Central Reserve Police Force (in short “CRPF”) issued to the petitioner vide letter dated 15th February, 2021 was cancelled. The petitioner was sent for a medical examination before the Eastern Command Hospital, Kolkata.

The said Eastern Command Hospital has, on examining the petitioner, filed a report before this Court which was duly circulated amongst the parties. It appears from the said report that the petitioner has been declared

“fit” for the post of CT/GD despite having “Umbilical Hernia”. There is no reason to disbelieve the report filed by the Eastern Command Hospital, Kolkata.

In view of such report, the order impugned dated 18th August, 2021, appearing at page 41 of the writ petition, is set aside and/or quashed.

The respondents are directed to take steps to give appointment to the petitioner in terms of the offer letter dated 15th February, 2021 within a period of eight weeks from date.

By way of abundant caution, the petitioner shall serve the Commandant, GC, CRPF, Durgapur (WB), a server copy of this order.

The parties, including the Commandant, GC, CRPF, Durgapur (WB), being the respondent no.6, shall act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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

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

(Arindam Mukherjee, J.)