

16 28.10.2022
NB Ct. 42

WPA 23313 of 2022

Vikash Verma
Vs.
The Union of India & Ors.

Ms. Reshmi Ghosh,
Mr. Gopal Das .
....for the petitioner.

Mr. Soumak Bera.
...for the respondents.

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a notification issued on 17.07.2021 by the Border Security Force (BSF) for recruitment of personnel. On 08.12.2021, a computer based written examination was held and the petitioner was declared passed and he was directed to appear in PST/PET test and was declared fit on 02.06.2022. Then he appeared for medical examination before the Board and was declared unfit on 14.09.2022 due to overweight and Gynecomastia. He had to undergo a second medical test. There he was found overweight weighing 71Kg. while the acceptable range was 55Kg. to 67 Kg. However, the petitioner got himself examined at the Government Hospital at SSKM Hospital, Kolkata and his weight was found to be 65Kg. Therefore, a fresh medical examination is necessary to ascertain the exact weight of the petitioner.

Learned counsel appearing on behalf of the respondents submits that the process of recruitment is formally over. However, in the event a fresh medical examination is to be done, the same may be done at the Eastern Command Hospital.

I have heard the learned counsels appearing on behalf of the petitioner and the respondents and have perused the revision petition.

It is a matter of concern that in a matter of few days, the petitioner's weight was calculated by one doctor to be 71Kg. and by other doctor as 65Kg. This clearly shows that there is a need for fresh examination.

In view of the above, let the respondent authorities have another medical examination done in respect of the weight of the present petitioner within seven days from the date of communication of this order by a doctor at the Eastern Command Hospital. Thereafter, the petitioner's case shall be taken into consideration by the respondents for the recruitment of staff in question. Till his case is considered, one seat should be kept vacant by the respondents and not filled up in the ensuing recruitment process.

With these directions, the writ petition is disposed of.

Urgent photostat certified copy of the order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

