

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7311 of 2007

SUMAN SINGH son of Shri Chandeshwar Singh, resident of village Bandhu Chapra, P.S. Badhhara, District- Bhojpur, Ara, Bihar

... .. Petitioner/s

Versus

1. The Union of India, Ministry to Home Affairs, New Delhi
2. The Director General of Central Reserve Police Force, Sijuya Complex, Lodi Road, New Delhi
3. The Inspector General of Central Reserve Police Force, North Area, R.K. Puram, New Delhi
4. The Deputy Inspector General of Police, C.R.P.F., New Delhi
5. The Chief Medical Officer (Incharge) Bose Hospital I, C.R.P.F. New Delhi

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Sen Pd.Singh
For the Respondent/s : Mr.Asst.S.G.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

13 17-10-2023

1.By filing the present writ application under

article 226 of the Constitution of India, the petitioner has prayed for a direction to the respondents to consider and to give approval of appointment of the petitioner on the post of G.D. Buglar (Constable).

2.The facts of the case, in short, is that an advertisement was published inviting application for appointment to the post of CRPF G.D. Buglar (Constable). Petitioner applied for the post and thereafter appeared in the written and medical tests held on 29.09.2003 and 07.10.2003. Petitioner got selected in the written test. In the medical test, he was declared unfit mentioning scoliosis with drooping of the



right shoulder.

3. Heard learned counsel for the petitioner, learned counsel for the respondents and perused the record.

4. The main contention of the learned counsel for the petitioner is that on 07.10.2003 when the applicant appeared for medical test he was advised for X-ray of spine so that it could be ruled out that he was suffering from scoliosis. Accordingly, he appeared before the Medical Board on 08.10.2003 with the X-ray and report. The report i.e. Exhibit 3 showed that his bones appeared to be normal. The report from the Safdarganj Hospital i.e. Exhibit 4 also supports the same.

5. In reply learned counsel for the respondents opposed the petition. It is submitted that the applicant was not only found ineligible in the medical test in which one doctor is present but was also found ineligible on the next day by the Medical Board consisting of two doctors as members of the same, as contained in Exhibits A and B respectively.

So far as Exhibit 3 is concerned, this certificate has been issued by a private doctor. In the medical test, only X-ray was demanded from the applicant and no certificate was demanded at all.

Exhibit 4 is the certificate dated 16.10.2003 whereas



the applicant had to appear before the Board on 08.10.2003 and no such certificate was demanded from the applicant.

In any recruitment, there is a prescribed process of selection. When the applicant was found unsuccessful in the process, he on his own collected these certificates which were never demanded from the applicant. Now, on the basis of these certificates, he is challenging the selection made by the prescribed process.

6. Considering the above, this Court agrees with the submissions advanced on behalf of the respondents. The writ application has no force and is, accordingly, dismissed.

(Arvind Srivastava, J)

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