

145.
28-03-2023
debajyoti
(Ct. no.25)

WPA 2104 of 2021

Ganesh Shaw
Vs.
Union of India & Ors.

Mr. Ujjal Ray,
Mr. Arpa Chakrabarty

... For the Petitioner.

Mr. Sauvik Nandy,
Ms. Rama Ghosh Dastidar

... For Union of India.

The report of the President, Medical Board for the Commandant is retained with the records.

The petitioner applied in an examination held by the Staff Selection Commission (SSC) for recruitment of the Constables under Central Armed Police Force (CAPF). In the Detailed Medical Examination (DME), the petitioner was declared **unfit** for recruitment, since he suffered from low standard at distant vision and also from deformity at right ankle joints. In the Review Medical Examination conducted on November 02, 2020, the petitioner was declared **unfit** due to a squint in the left eye.

This Court called for a report from the Superintendent, Eastern Command Hospital, Kolkata, after medical examination of the petitioner upon constitution of a board for determination of the question whether the petitioner medically **fit** to work as a Constable with the CAPF having regard to the issue of the squint in his eyes.

From a report dated February 10, 2023, it appears that the petitioner has been held to be

medically **fit** by the President of the Medical Board for the Commandant.

In the circumstances, the respondent no.3, being the authority concerned, is directed to consider the recruitment of the petitioner to the post of Constable (GD) in accordance with the report dated February 10, 2023. The report of the RME dated November 02, 2022 is, accordingly, set aside. The respondent no.3 is directed to consider the recruitment of the petitioner within a period of three months from the date of the order.

With the direction aforesaid, **WPA 2104 of 2021** is **disposed of**.

Since, Affidavits not having been called for, the allegations in the writ petition shall be deemed not to have been admitted by the parties.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Lapita Banerji, J.)