

33.
22.8.2023
Sws.M

W.P.A. 19853 of 2023
Sanjay Das
Vs.
Union of India & Ors.

Mr. Debasish Kundu

..For the Petitioner

Mr. D.N. Ray

Mr. Rajesh Kumar Shah

...For the U.O.I.

The petitioner participated in the recruitment process for recruitment of Constables (GD) in Central Armed Police Forces (CAPs), NIA, SSF and Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau Examination 2022. The said examination is held by the Staff Selection Commission.

The petitioner qualified in the written test, Physical Standard Test (PST) and Physical Efficiency Test (PET). In the Detailed Medical Examination (DME) held on July 26, 2023, the petitioner was declared **unfit** interalia on the ground of “Extensive Fungal Dermatitis on buttock”. The petitioner appeared before the Review Medical Examination (RME) on July 31, 2023. The petitioner was declared to be **unfit** due to “Extensive Tinea Corporis”. The RME Report is dated July 31, 2023.

The petitioner's case is that, the petitioner got himself examined at the Murshidabad Medical College & Hospital, Department of Health & Family Welfare and the Medical Officer of the Hospital found that the petitioner's fungal activity was found to be absent at present.

Mr. Kundu, learned counsel appearing on behalf of the petitioner relies on the result of DME declaring the petitioner to be **fit** in a previous selection process of SSC.

Mr. Ray, learned counsel appears on behalf of the respondents.

After considering the rival submissions of the parties and the materials placed on record, this Court finds that no infirmity in the decision making process of declaring the petitioner to be **UNFIT** by the respondent authorities on the dates on which DME and RME were held. The respondent authorities have followed their guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles issued by the Ministry of Home Affairs, Government of India for rejecting the petitioner's candidature.

This Court finds no perversity in such decision making process. Accordingly, **WPA 19853 of 2023 is dismissed.**

Since affidavits are not invited, allegations made in the writ petition are deemed not to have been admitted.

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

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

(Lapita Banerji, J.)