

17.
18.9.2023
S.D.

W.P.A. 20103 of 2023

Achinta Sarkar
Vs.
Union of India & Ors.

Mr. Mahadeb Sarkar
Mr. Bikash Chowdhury
..For the Petitioner

Mr. Kumaresh Dalal
Ms. Hasi Saha
...For the Respondents

The petitioner applied for recruitment for the post of Constable in the Central Armed Police Forces (CAPFs), SSF, Rifleman (GD) in the Assam Rifle and Sepoy in Narcotics Control Bureau Examination, 2022. The examination is conducted by Staff Selection Commission (SSC).

In the Detailed Medical Examination (DME), the petitioner was held to have “*multiple cut marks*” on the left hand. The same was held on July 25, 2023.

By an Office Order dated July 27, 2023, the petitioner was sent for Psychiatric Review due to the “*multiple cut marks*” on the left hand.

Review Medical Examination (RME) was held on July 31, 2023, where the petitioner was held to be **unfit** due to

hesitation cut marks noted on the left forearm. The Psychiatric's opinion was taken into account which opined that the petitioner has a tendency of deliberate self harm. Therefore, the petitioner was held to be **unfit** in the RME.

This Court cannot inviteD to assess whether or not the petitioner is a psychiatric patient or not. Furthermore, it is not lost upon the mind of this Court that the petitioner is praying for recruitment as an Enrolled member of the Force. The serious nature of duty to be performed by the petitioner has to be kept in mind by the Board constituted for RME before declaring the petitioner to be '**fit**' for such duty.

Therefore, this Court finds no infirmity in the decision making process of declaring the petitioner to be **unfit** in the RME.

Accordingly, **W.P.A. 20103 of 2023** is **dismissed**.

Since no Affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the writ petition are deemed not to have been admitted by the parties.

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

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

(Lapita Banerji, J.)