

30.11.2023.
Court No.13
Item No. 09
ap

W.P.A. No. 23256 of 2022

**Shibdas Mondal
Versus
Union of India & Ors.**

Mr. Suryasarathi Basu.

...For the petitioner.

Mr. Soumak. Bera.

....For the UOI.

1. Affidavit-in-opposition and affidavit-in-reply filed in Court today be taken on record.

2. The case of the petitioner is that he participated in the recruitment process of the year 2021 for the post of Constable GD in the CRPF and cleared all physical measurement and criteria. The first Medical Board and the Review Medical Board found the petitioner with hypertension.

3. It appears from the report of the Review Medical Board that the petitioner's blood pressure was tested on three occasions with 15 minute intervals.

4. Counsel for the petitioner would find fault with the Review Medical Board by reference to Clause (1) of Clause (XIV) of the Guidelines for Recruitment Medical Examination in Central Armed Police Forces & Assam Rifles. It is argued that when blood pressure is 140 mm systolic and 90 mm diastolic, two more recordings in lying position in intervals of two to three hours must be taken before declaring the candidate unfit. However, in other cases of elevated blood pressure,

measurements are required to be taken atleast in ten minutes interval when systolic is greater than 140 mm and diastolic is greater than 90 mm.

5. In the Review Medical Examination, the blood pressure of the petitioner was recorded in 15 minute intervals on two several dates i.e. 26th September, 2022 and 27th September, 2022. On each of the said occasion, the blood pressure of the petitioner was found beyond acceptable norms, which could easily be characterized as hypertension.

6. The respondents cannot, therefore, be faulted on this score. The next argument of the learned Counsel for the petitioner is that the aforesaid Medical Guidelines provide for use of a mercury based apparatus and not a digital BP testing machine.

7. This Court takes judicial notice of the fact that 90% of the medical fraternity of the country both Government and Non-Government use digital blood pressure recording machines. The said machines have been found to be reliable and substantially accurate. These days one hardly finds the intentional mercury based blood pressure testing apparatus. The respondents, therefore, cannot be faulted for using a digital blood pressure recording machine. The Guidelines of the C.R.P.F. must be suitably read down in this regard.

8. For the reasons stated hereinabove, no relief can be granted to the petitioner in this writ petition.

9. W.P.A. No. 23256 of 2022 is dismissed.

10. There will be no order as to cost.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)