

86.
23-03-2023
debajyoti
(Ct. no.25)

WPA 28312 of 2022

Sri Somnath Ghosh
Vs.
Union of India & Ors.

Mr. Guddu Singh,
Ms. Soma Chakraborty,
Ms. Ananya Neogi

... For the Petitioner.

Mr. Dayashankar Mishra,
Mr. Tirtha Pati Acharyya

... For Union of India.

The petitioner qualified in the Staff Selection Commission (SSC) Examination for recruitment to the post of Constable (GD). After qualifying in the Physical Standard Test (PST) and the Physical Efficiency Test (PET), the petitioner was found to be “**unfit**” in the Detailed Medical Examination (DME). In the DME, it was held that the Tattoo that was present on the right forearm, had not substantially faded. The petitioner got himself examined at the IPGMER and SSKM Hospital and was held to be clinically normal. This Court directed the petitioner to get himself examined by the Board constituted by the Superintendent of the Eastern Command Hospital for the purpose of determination whether the petitioner was medically “**fit**” to work as Constable.

From the report forwarded by the president of the Medical Board for Commandant dated February 17, 2023, it is found that the petitioner is “**medically fit**” to perform his duties. Such report is retained with the records.

In the circumstances, this Court directs the petitioner to be recruited by the authorities concerned

within eight weeks from date, subject to compliance of all the other necessary formalities and parameters.

With the direction aforesaid, **WPA 28312 of 2022** is disposed of.

Since no affidavits have been directed to be filed in the present writ petition, all the allegations contained therein are 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.)