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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-26046-2023

Date of Decision: 19.12.2023

RAVI KUMAR

..... Petitioner

Versus

UNION OF INDIA AND ORS.

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Nihul Pratap Singh, Advocate
for the petitioner.

Mr. Shivoy Dhir, Senior Panel Counsel
for respondents No.1 to 3-UOI.

Mr. H.S. Sammi, Central Govt. Counsel
for respondent No.4-SSC.

JAGMOHAN BANSAL, J. (Oral)

1. On 20.11.2023, the following order was passed:

“The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of order dated 23.01.2023 (Annexure P-13) whereby appointment letter dated 22.09.2022 (Annexure P-10) issued in his favour has been cancelled. The petitioner is further seeking directions to respondents to appoint him on the post of Constable (GD) in CRPF.

The petitioner pursuant to advertisement applied for the post of Constable (GD) in CRPF. The petitioner cleared written test and he was called for physical examination. The petitioner was declared medically unfit in Detailed Medical Examination (DME). The petitioner appeared before Review Medical Board

which declared him medically fit. The petitioner was declared medically fit in October' 2020, however, he was issued appointment letter in September' 2022. The petitioner was again subjected to medical examination wherein he was declared medically unfit on the different grounds i.e. Varicos Veins Left leg. The petitioner has got himself examined from Government Hospital, Sikar wherein he has been declared medically fit.

Learned counsel for the petitioner submits that the petitioner, on the earlier occasion, was declared medically fit by Review Medical Board, however, respondent issued appointment letter after 02 years and now they have rejected the petitioner on a totally different ground. The petitioner may be subjected to medical examination by a Board consisting of doctors who were not part of earlier Review Medical Board.

Learned counsel for respondents No.1 to 3-UOI, who on advance notice is present in Court, submits that if Court directs, the petitioner would be examined by another set of Board of doctors to ascertain fitness of the petitioner.

In the wake of statement of both sides, the respondent is directed to constitute another Medical Board to examine the petitioner.

Needful shall be done before the adjourned date.

Adjourned to 19.12.2023.”

2. Mr. Shivoy Dhir, Senior Panel Counsel for respondents No.1 to 3-UOI submits that in view of order dated 20.11.2023, as per his instructions, the Medical Board is going to be constituted and the entire process would be completed within 2 months from today.

3. In the wake of statement of learned counsel for respondents No.1 to 3-UOI, the present petition stands disposed of.

4. It is made clear that in case Board of Doctors as undertaken by learned counsel for respondents No.1 to 3-UOI is not constituted within aforesaid period, the petitioner would be at liberty to move an appropriate application before this Court.

(JAGMOHAN BANSAL)
JUDGE

19.12.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>