

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13794 of 2012

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Dhanji Prasad Son Of Shri Jogendra Singh Resident Of Village- Shrivjee
Tola, Post- Chakei, District- Bhojpur Bihar

... .. Petitioner/s

Versus

1. The Union Of India through the Inspector General, Bihar Sector, C.R.P.F., Patna
2. The D.I.G. P.G.C.R.P.F., Muzaffarpur
3. Medical Officer, C.R.P.F., Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nitesh Kumar Singh, Advocate

For the Respondent/s : Mr. Alok Kumar, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-05-2024 Heard Mr. Nitesh Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Mr. Alok Kumar,

 learned C.G.C for the respondent/s.

2. The petitioner has prayed for following relief(s) in

paragraph no. 1 of the writ petition:

*"That the petitioner humbly cases out
from this Hon'ble High Court for issuance of
Order/direction and writ in appropriate nature
commanding the respondents to appoint the
petitioner for the post of constable G.D. Male in
C.R.P.F."*

3. The petitioner had appeared in the written

examination of G.D. Male, C.R.P.F. on 18.11.2010 and had



passed. The petitioner was called for Medical test after qualifying the written examination vide Letter dated 07.06.2011 and on 28.06.2011, the petitioner was declared unfit in the Medical Test. Thereafter, the petitioner called for a review of his Medical Test and in the review also he was declared unfit on 12.08.2011. Then the petitioner, vide the Medical Examination Report dated 30.06.2011, issued under the signature of the Civil Assistant Surgeon Bhojpur, Ara, was declared fit.

4. Record reveals that the Medical examination of the petitioner was conducted on 27.06.2011 by the Medical Officer of Recruitment Board at G.C. Muzaffarpur and he was declared medically unfit due to 'Flat Foot' as per the report dated 28.06.2011 and he was informed vide Letter No. R.II-1/2010-11EC-6 dated 21.07.2011. The other factor which also concerns this Court is that as on date, in absence of any provision for age relaxation in respect of recruitment of constable/G.D. in C.R.P.F. 02010. I am not inclined to grant relief to the petitioner as prayed for in Para-1 of the writ petition considering the fact that it is settled principle of law that recruitment to public service should be strictly in accordance with the terms of the advertisement and the recruitment Rules. Any deviation from the Rule allows entry to ineligible persons and deprives many



other who could have competed for the post.

5. Considering the facts and circumstances of the case, the writ application stands disposed of.

(Purnendu Singh, J)

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