

Item-9.	09-04-2024	MAT 317 of 2024 CAN 1 of 2024
sg	Ct. 8	Titu Dey Versus Union of India & Ors.

Mr. Ujjal Ray, Adv.
Mr. Arpa Chakraborty, Adv.
Mr. Sk. Abdur Rahim, Adv.
...for the appellant
Mr. Dhiraj Trivedi, Id. DSGI
Mr. Kaustav Chandra Das, Adv.
...for the respondent

1. In view of the medical report showing lump in the petitioner's breast apart from the other problems and having regard to the fact that the CRPF Authorities have found that the petitioner would not be able to undertake stringent training and duties entrusted to a constable as such training would also subject the body to extreme conditions and wearing of bullet proof and other apparel and carrying of weapons, the order passed by the learned Single Judge does not call for any interference. Moreover, as observed by the Delhi High Court in the case of *K.M. Priyanka vs. Union of India & Ors.* reported in 2020 SCC OnLine Del 1851, a Writ Court cannot saddle the CRPF with a liability of a potentially sick candidate, who may not be of any use for the purpose for which she is being recruited.
2. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.
3. The appeal and the application stand dismissed. However,

there shall be no order as to costs.

4. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Soumen Sen, J.)

(Uday Kumar, J.)