

28-02-2024
ct no. 13
Sl. 234
sp

WPA 20778 of 2023
Pabin Dutta
-Versus-
Union of India & Ors.

Mr. Debasish Kundu
...for the petitioner

Mr. D.N. Roy,
Mr. A. Santra
...for the Union of India

1. The petitioner participated in the process of recruitment to the post of Constable (GD) in the CAPFs conducted by the SSC for the year 2022. He was declared medically unfit for perforated TM, on the left ear. The same was confirmed by the Review Medical Board.
2. The petitioner obtained an independent medical opinion from the Alipurduar District Hospital, West Bengal stating that there was no perforation seen at present.
3. In those circumstances, the case of the petitioner is remanded back for reconsideration by the Medical Board of the CAPF. In the event any change of any medical opinion, the petitioner may be considered for recruitment to the post of Constable (GD) in the CAPF after completing the balance examination.

4. Let the aforesaid exercise be completed by the respondents, preferably within a period of 3 weeks from the date of receipt of a copy of this order.
5. With the aforesaid observations, the instant writ petition shall stand disposed of.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)