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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

918 WRIT PETITION NO. 13260 OF 2024

SHAIKH SAIBAZ RAHEMODDIN

VERSUS

1. THE UNION OF INDIA, THROUGH MINISTRY OF
PERSONNEL, PUBLIC GRIEVANCE AND PENSIONS, NEW
DELHI
2. UNION OF INDIA, THR. MINISTRY OF HOME AFFAIRS, NEW
DELHI
3. OFFICE OF DIG, PUNE
4. STAFF SELECTION COMMISSION, NEW DELHI

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Mr S. B. Madde, Advocate for petitioner

Mr R. R. Bangar, Standing Counsel for all respondents

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 5th December, 2024

PER COURT:

1. The petitioner who has undergone medical examination and review medical examination is questioning the opinion of the Doctors whereby they have certified and confirmed that he has been suffering from 'DNS towards right' as mentioned in those certificates which are at page Nos.27 and 28, respectively, of the petition paper book and on that count, he has been held to be unfit for the recruitment in the Central Reserve Police Force (C.R.P.F.).

(2)

2. The learned Advocate for the petitioner submits that on the previous occasion when he was seeking recruitment in the year 2023, no such physical deficiency was noted and he could appear at the examination.

3. Though attractive, the submission cannot be countenanced by the High Court in exercise of powers under Article 226 of the Constitution of India. When the experts, not on one but on two occasions in succession and after undertaking a CT scan have found that he was physically unfit for the recruitment, within the circumscribing limits, the High Court cannot cause any interference.

4. This writ petition is dismissed.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

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