

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 3302 OF 2021

Anujkumar Rammurti Gupta. ... Petitioner.
V/s.
State Bank of India. ... Respondent.

Mr.Sagar A. Joshi for the Petitioner.
Mr.Abhijeet Joshi with Ms.Varsha Sawant and Mr.Aditya Joshi
for the Respondent.

SANJAY
KASHINATH
NANOSKAR

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**CORAM : NITIN JAMDAR, AND
M.M. SATHAYE, JJ.**

DATE : 13 March 2024.

P.C. :

Heard the learned counsel for the parties.

2. Pursuant to the advertisement issued in the year 2019, the Petitioner applied for a post in clerical cadre in the Respondent-Bank. The Petitioner was shortlisted. During the medical examination, the Petitioner was diagnosed with heart decease because of which the impugned communication was issued to the Petitioner saying that he cannot be appointed to the said post. Reply affidavit is filed by the Respondent- Bank annexing the certificate issued by the medical professional that the Petitioner is unfit for the job unless surgery is done. This certificate is also of the year 2019.

The learned counsel for the Respondent points out that the entire selection process is now over.

3. The learned counsel for the Petitioner states that this may be correct, but the ground for rejection should not come in the way of the Petitioner when new selection process is initiated and if the Petitioner applies. This is a position as regards the health condition which is bound to undergo a change and, therefore, the aspect as to whether the Petitioner is medically fit or otherwise would be considered as and when the Petitioner appears for the fresh medical test, if any.

4. Writ petition is accordingly disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)