

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-21466-2023 (O&M)

Date of decision: 11.01.2024

VINIT BHARDWAJ

...PETITIONER

Vs.

UNION OF INDIA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rohit Mittal, Advocate
for the petitioner.

Mr. Karan Kumar Jund, Senior Panel Counsel
for respondent Nos. 1 to 4-Union of India.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 19.06.2023 (Annexure P-9) whereby petitioner has been declared medically unfit and his candidature has been rejected.

2. The petitioner, pursuant to advertisement, applied for the post of Sub-Inspector. The petitioner appeared in the written examination and was declared successful. The petitioner thereafter, appeared and successfully cleared physical test, however, he was declared medically unfit in the medical examination. The petitioner got treatment from Government Hospital, Narnaul and the said hospital confirmed that petitioner is medically fit. The Doctor has confirmed that testis are palpable in scrotum and there is no tenderness.

3. Mr. Rohit Mittal, counsel for the petitioner submits that case of the petitioner is squarely covered by a Division Bench judgment of this Court *in Union of India and others Vs. Neeraj Mor in LPA-690-2020, decided on 23.05.2022.*

4. Mr. K.K. Jund, counsel for Union of India on being confronted with the aforesaid judgment submits that respondent would reconsider case of the petitioner in the light of aforesaid judgment subject to availability of vacancy.
5. Counsel for petitioner agrees to the aforesaid arrangement.
6. In the wake of statement of both sides, the present petition stands disposed of.
7. Let the needful be done within two months from today.

11.01.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No