

**IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
Appellate Side**

Present:

**The Hon'ble Justice Aniruddha Roy**

**W.P.A. 12418 of 2025**

Sri Rahul Mondal  
Vs.  
Union of India & Ors.

For the petitioner : Mr. Sayan Mukherjee  
Ms. Anushka Ghosh

For respondent no. 1 : Ms. Manasi Mukherjee  
Mr. Srikumar Chakraborty

Heard on : June 20, 2025

Judgment on : June 20, 2025

**Aniruddha Roy,J.**

Affidavit of service filed in Court today, is taken on record.

The petitioner was an aspirant in **Constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifelman (GD) in Assam Rifles Examination, 2024 (for short, the said Examination)**. In the first round of medical examination the petitioner was rejected on the ground of **Defective Distant Vision** and **Gynaecomastia** on **October 9, 2024, annexure P-5 at page 31** to the writ petition. Following the selection rules

the petitioner immediately preferred a review proceeding. The result of the review medical board is available, **annexure P-6** at **page 32** to the writ petition. From the review medical report it appears that the review board has noted the grounds for rejection by the first medical board and then gave its finding on vision of the petitioner but there is no finding on ***Gynaecomastia***. However, the review medical board rejected the candidature of the petitioner on the ground ***'UNFIT due to overweight and chest deformity'***. The ground for rejection by the review medical board finding the petitioner to be ***'UNFIT'*** was never the ground for rejection before the first medical board at **page 31** to the writ petition.

These medical reports were prepared by the medical experts of the first medical board and the review medical board. The Court is not an expert. The law is well settled that unless a glaring illegality, Perversity and/or inconsistency is there in the expert's report, the Court should seldom interfere.

In the light of the above settled provision of law when the review medical report is looked into by this Court it appears that, there was no finding of the review medical board on the reason for rejection given by the first medical board on the ground of ***Gynaecomastia***. But the petitioner was declared ***unfit*** due to ***overweight and chest deformity*** which were never there before the report of the first medical board at **page 30** to the writ petition. Hence, inconsistency is apparent on the face of the review medical report. For the purpose of conducting the medical examination of the

candidates a settled medical guideline is there which has also been prepared by the medical experts.

Mr. Sayan Mukherjee, learned counsel appearing for the petitioner referring official standard table at **pages 62 and 63** from the medical guideline submits that better eye is 6/6 and 6/6. Finding of the review medical board in so far as vision of the petitioner is concerned is within the permitted zone being 6/6 for both eyes.

Mr. Srukumar Chakraborty, learned counsel appearing for Union of India submits that, the petitioner has made a false statement that, he has been examined at SSKM Hospital whereas the petitioner has annexed alleged medical certificate of one hospital of Nadia.

Considering the submissions made on behalf of the parties and upon perusal of the materials on record this Court is of the considered view that, in absence of any finding against **Gynaecomastia** the review medical report, **annexure P-6** at **page 32** to the writ petition cannot sustain in law, as a whole. ***However, this Court does not interfere with the finding regarding the vision of the petitioner being DVA both 6/6.*** Save and except this finding on account of the vision of the petitioner the other part of the review medical report **annexure P-6** at **page 32** to the writ petition stands **set aside** and **quashed**.

***It is further clarified that so far as the finding of the vision of the petitioner being 6/6 and 6/6 has not been interfered with in the review medical report.***

The review medical board is directed to conduct a further physical examination of the petitioner in the light of the reasons for rejection, inter alia, ***Gynaecomastia*** mentioned in the first medical report, **annexure P-5** at **page 31** to the writ petition and then shall give its finding in strict compliance of the procedures laid down in the relevant medical circular applicable for the selection process.

The entire exercise shall be carried out and completed positively within a period of **seven days** from the date of communication of this order.

The review medical report shall immediately be made over to the petitioner.

The selection authority then shall take steps on the basis of the said review medical report to be furnished before it.

It is made clear that, the review medical board shall proceed independently without being influenced by any observation made by this Court but strictly in accordance with law and following the applicable medical guidelines.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition **W.P.A. 12418 of 2025** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

**(Aniruddha Roy, J.)**