



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CWP-2520-2021 (O&M)

Date of decision: 29.07.2025

Sumit

...Petitioner

VERSUS

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sunil Kumar Goswami, Advocate for the petitioner(s).

Ms. Saigeeta Srivastava, Sr. Panel Counsel,
for the respondent(s)-UOI.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenging the decision of the respondents whereby the petitioner has been declared unfit for appointment to the post of Constable in BEE-ONE medical category on account of uncorrected distance visual acuity being below the prescribed standard in the right eye, the instant writ petition has been filed.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner had successfully cleared the written as well as the physical tests but has been held declared to be medically unfit in view of the report of the Medical Board. He contends that the petitioner thereafter subjected himself to medical examination in the Department of Ophthalmology, Pt. B.D. Sharma PGIMS, Rohtak and they have certified testing the petitioner for vision by Landolt's split rings mounted as per Indian Railways



guidelines for the post of Constable in BEE-ONE medical category. As per the said report, visual acuity in both eyes is 6/6. It is submitted that notwithstanding the said report, the respondents have still declared the petitioner unfit on account of uncorrected distance visual acuity below prescribed standards in the right eye. He contends that he would be satisfied, in case, the respondents are directed to re-conduct the medical examination of the petitioner on all physical standards including the eyesight to test his fitness.

3. Even though, counsel for the respondent(s)-UOI opposes the aforesaid prayer on the ground that the petitioner has already been subjected to medical examination twice and has not been found fit, however, she is not in a position to dispute the medical certificate that has been issued by PGIMS, Rohtak and which such certificate is issued as per the prescribed medical standards by the Indian Railways.

4. In the fitness of things and considering the prayer made by the counsel for the petitioner, I deem it appropriate that the medical examination of the petitioner can be carried out afresh as there are conflicting medical certificates including one by a Post Graduate Institute of Medical Sciences.

5. The present writ petition is accordingly **disposed of** with a direction to the respondents to conduct medical examination of the petitioner by the Chief Medical Director, North Western Railways, Jaipur. The petitioner shall appear for his medical examination on 04.09.2025 or such other date as the respondents may prescribe in the event the medical board is



223 CWP-2520-2021 (O&M)

not constituted or is unavailable. The report prepared by the Doctor(s)/Medical Board shall be final and binding between the parties.

6. Needles to mention that in the event of the petitioner being found fit in the medical re-examination, he shall be given notional consequential benefits from the date the benefits have been given to others, but shall not be given seniority above them. Actual benefits to be given from the date of appointment. The above exercise be however undertaken within 3 months of receipt of the medical report.

(VINOD S. BHARDWAJ)
JUDGE

29.07.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No