

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.171 of 2025

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Mohit Kumar Singh Son of Sudhir Kumar Singh, Resident of Village Alapur,
P.O, P.S. Pachrukha, District- Siwan.

... .. Petitioner/s

Versus

1. The Union of India , Through the Ministry of Home Affairs, Govt. of India(New Delhi).
2. The Director General, CAPF (Recruitment Branch) East Block- 07, Level-4, Sector- 01, R.K. Puram, New Delhi- 110066.
3. The Deputy Commandant Member 1 PST/PET Board No. 4 Gorakhpur.
4. The Staff Selection Commission (Central Region) Through its Chairman,34A Kendriya Sadan 34 Mahatma Gandhi Marg, Civil Line Prayagraj (Uttar Pradesh).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Kumar Ravish, CGC Mr. Radhika Raman, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 14-07-2026 No one appears for the petitioner. Learned counsel for the Union of India is present.

2. No one appeared on behalf of the petitioner on 19.2.2026 also when this Court was pleased to record the following order:

*“No one appears for the petitioner.
Learned counsels for the Union of India as
also the Staff Selection Commission are
present.*

*2. It is submitted by learned
counsel for the Union of India in reference to
the counter affidavit filed and more*



particularly paragraph nos.8, 9 and 10 thereof that in the detailed medical examination conducted, the petitioner was found unfit on account of defective distant vision and the said defect was confirmed in the review medical examination.

3. As no one appears on behalf of the petitioner, put up on 24.2.2026.”

3. The petitioner has filed the instant application for the following reliefs:

“(i) Issuance of a direction, order or writ in the nature of Mandamus Commanding the concerned respondent authorities to consider the case of the petitioner for recruitment as a Constable (GD) in the service of CAPFs for the year 2024 treating him to be medically fit and eligible as per the requirements in this regard and as such extend all the consequential and identical benefits thereto:

(ii) Issuance of declaration holding that the petitioner is entitled to be considered for recruitment as a General duty constable in the CAPF having qualified in the physical test and written examination and being medically fit in all respects on the basis of the certificates/testimonials issued in this respect by reputed doctors who have been working in Govt. Hospital of Siwan,



Bihar.

(iii) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

4. The case of the petitioner in brief is that on the respondent authorities coming out with an advertisement in the year 2024 for appointment on the post of CT/GO 2024 published by the CAPFs, Gorakhpur Sector inviting applications from eligible candidates, the petitioner applied and having cleared the first two stages of physical test and written examination, the petitioner was called for medical test for which he appeared before the medical board on 10.10.2024

5. It is further case of the petitioner that he was declared medically unfit and not selected for the reason of having defective distinct vision which was said to be 6/24. It is further case of the petitioner that he got himself examined by four different medical personnels, details of whom has been given in the petition and no medical infirmity was found. Hence the instant writ application for the reliefs as stated herein above.

6. Learned counsel appearing for the Union of India in reference to the counter affidavit filed submits that in the detailed medical examination conducted by the authorities of the



petitioner on 10.10.2024, he was declared unfit on account of defective distinct vision. As such he was not selected.

7. It would be relevant to reproduce paragraph nos.8 to 11 of the counter affidavit which reads as follows:

“8. That further the petitioner appeared in the Detailed Medical Examination (DME) on 10.10.2024 at SHQ, SSB, Gorakhpur, wherein he was declared "Unfit" on account of defective distant vision. The findings recorded were Distant Vision (DV) 6/24 in both eyes and Near Distant Vision (NDV) 6/6 in both eyes.

9. That the petitioner was informed of his right to undergo Review Medical Examination (RME), and he gave his consent in writing. The RME was scheduled from 11.10.2024 onwards at the same location, i.e., SHQ SSB, Gorakhpur.

10. That during the course of Review Medical Examination from 11.10.2024 to 15.10.2024, the petitioner was advised for the opinion of an Ophthalmologist, as per the standard protocol of the RME Board.

11. That the petitioner was re-examined on 15.10.2024 by the RME Board No. 02, SHQ SSB, Gorakhpur, and based on the opinion of the Ophthalmologist, the



petitioner was again declared "Unfit" on the ground of defective distant vision, Right Eye: 6/24 and Left Eye: 6/24."

8. The main contention on behalf of the petitioner is that though in the medical test conducted by the respondent authorities, he was found to be unfit on the ground of defective distinct vision, the petitioner challenged the same on the ground that he got himself examined from different Doctors and no defect was found.

9. In this context, it would be relevant to refer to the judgment of this Court in the case of *Raju Kumar vs. The State of Bihar and Ors.*; 2026 (2) PLJR 204 wherein it was held as follows:

"7. At this stage, it would be relevant to take into consideration the judgment in the case of KM. Priyanka vs. Union of India & Ors. [W.P.(C) 10783 of 2020] wherein the Delhi High Court in paragraph no. 8 has held as follows:

"8. We have on several occasions observed that the standard of physical fitness for the Armed Forces and the Police Forces is more stringent than for civilian employment. We have, in Priti Yadav Vs. Union of India 2020 SCC OnLine Del 951; Jonu



Tiwari Vs. Union of India 2020 SCC OnLine Del 855; Nishant Kumar Vs. Union of India 2020 SCC OnLine Del 808 and Sharvan Kumar Rai Vs. Union of India 2020 SCC OnLine Del 924, held that once no mala fides are attributed and the doctors of the Forces who are well aware of the demands of duties of the Forces in the terrain in which the recruited personnel are required to work, have formed an opinion that a candidate is not medically fit for recruitment, opinion of private or other government doctors to the contrary cannot be accepted inasmuch as the recruited personnel are required to work for the Forces and not for the private doctors or the government hospitals and which medical professionals are unaware of the demands of the duties in the Forces. In fact, the case of Priti Yadav (supra) also related to 'cubital valgus'. It is also to be noted that the specialists that the petitioner had consulted had also found that the petitioner suffered from 'cubital valgus' and therefore, the findings by the



Medical Boards were not wrong.”

8. Taking into consideration the facts of the instant case and the decision in KM. Priyanka (supra), it has to be reiterated that once on a medical examination being conducted for recruitment of personnel for the forces and a person is found not to be medically fit for recruitment, subsequent medical examination of the petitioner/candidate by some other private or government Doctor with results to the contrary cannot be accepted as the candidate to be appointed is required to perform the work of the force which the other medical personnel or the other Doctors conducting the medical test on the petitioner are not aware of.

9. For these reasons, once the petitioner was found medically unfit for appointment by the Doctors who examined the petitioner in the process of selection for appointment as home guard, in the opinion of the Court, the re-examination even by a government Doctor of PMCH who is not aware of the requirements of the work the petitioner is required to carry out as a home guard would not be of much assistance to the petitioner.

10. In view of the facts and



circumstances of the case, in the opinion of the Court, the petitioner has not made out any case for grant of relief in the instant application.

11. The application is dismissed.”

10. In view of the facts and circumstances of the case, the contention on behalf of the petitioner as made out from the contents of the writ application, the submissions made by learned counsel appearing for the Union of India and the judgment in the case of *Raju Kumar* (supra), relevant portion of which is quoted herein above, the Court finds no merit in the instant writ application.

11. The application is dismissed.

(Partha Sarthy, J)

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