

**W.P.S.T. 82 of 2026**

**Md. Ripon Sk.**  
**Vs.**  
**The State of West Bengal & Ors.**

Mr. Benazir Shaikh,  
Mr. Ibrahim Shaikh

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Id. A.G.P.,  
Mr. Somnath Naskar

...for the State Respondents

1. Heard the learned advocate for the petitioner as well as the learned A.G.P. representing the State.
2. The petitioner was selected as a Constable and was sent for training. It is not in dispute that the service was not confirmed till completion of training and completion of other formalities, such as medical examination etc. While the petitioner was undergoing training, he was sent for driving training also, wherein it was detected that he was suffering with 'anisometropic amblyopia' in his right eye, since childhood, which was not a curable condition. The petitioner, on being found unfit medically, was discharged upon report of the Medical Board, by the S.P., Basirhat who was the appointing authority. The petitioner was discharged on 01.05.2023. He thereafter approached the West Bengal Administrative Tribunal ('S.A.T.' for short), and this Court.

3. This Court in the earlier writ proceeding at the instance of the writ petitioner arising out of W.P.S.T. No. 220 of 2025, allowed the petitioner an opportunity to avail a remedy of appeal against the discharge order.
4. Pursuant to the Court's order, the appellate remedy has been availed by the writ petitioner. The appellate authority has rejected the petitioner's appeal on 26.02.2026. Under the circumstances, he approached the S.A.T. by filing an Original Application bearing O.A. No. 80 of 2026. The petitioner complains that despite the Original Application being filed before the S.A.T., the petitioner could not obtain any interim order of stay of the appellate authority's order and has been left remediless. He has relied upon decision of the Apex Court in the case of ***Rojer Mathew Vs. South Indian Bank Ltd. & Ors.*** reported in ***(2020) 6 SCC 1***.
5. We, thus, proceeded to consider the petitioner's claim in the present writ proceeding.
6. The learned advocate for the writ petitioner submits that the petitioner's services may be utilised other than for driving purposes.
7. The fact that the petitioner applied for recruitment as a Constable which encompasses several duties and requires a level of fitness for efficient

discharge of such duties, is not in dispute. A uniform level of medical fitness is prescribed, which is applicable to one and all. The petitioner admittedly has not measured up to the medical fitness required for discharging the duties of Constable in a uniform service. The said situation not being disputed, there is no scope for this Court to interfere with his discharge on the grounds of such medical disability, by the authorities, or by the appellate authority.

8. We find no merit in the writ petition.
9. The Writ Petition is dismissed.
10. In view of the dismissal of the Writ Petition, the pendency of the O.A. would be futile and serve no useful purpose. Accordingly, O.A. No. 80 of 2026 stands disposed of in these terms.

**(Madhuresh Prasad, J.)**

**(Prasenjit Biswas, J.)**