

09-03-2026
Item No.3
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.28523 of 2025

Sri Bittu Biswas

-vs-

Union of India & Ors.

Mr. Soumyadeep Biswas ...for the petitioner

Mr. Shyamal Kumar Mukherjee
Mr. Shaunak Ghosh ...for the respondents

1. The petitioner participated for recruitment in CAPF. He was declared medically unfit by the Detailed Medical Examination (DME) Board. The grounds for such declaration were 1) defective distant vision in both eyes and 2) squint.
2. The petitioner had the option to apply for review of the report of DME. The Review Medical Examination (RME) Board found that the petitioner had squint in the left eye.
3. Being aggrieved by such finding of the medical boards, the petitioner got himself tested in a State Government hospital where no squint was detected. The petitioner again got himself tested in AIIMS at Kalyani, where also squint could not be detected.
4. The petitioner submits that as two of the Government hospitals could not detect squint, the medical examinations conducted by the DME Board and the RME Board are faulty and incorrect.
5. The petitioner relies on the judgment dated May

29, 2025 passed by the Hon'ble Supreme Court in Civil Appeal No.7254 of 2025 (arising out of SLP(C) MP/13758 of 2025) – Divyanshu Singh vs. The Union of India & Ors. – wherein the Hon'ble Court directed the candidate to be tested by the ophthalmologist of AIIMS to ascertain as to whether the candidate was suffering from glaucoma or not.

6. Relying on the report produced by the medical board comprising of six Professors/ Assistant Professors/ Associate Professors /Additional Professors/Senior Technical Officer of Ophthalmology, evidence of glaucoma could not be found. Under such circumstances, the Court directed the authority to call the candidate for interview.
7. It has been contended that as squint could not be detected at all by the doctors, accordingly, the question of ascertaining the degree of squint cannot and does not arise.
8. Prayer has been made for setting aside the finding of the medical boards of the CAPF authority and directing the authority to give appointment to the petitioner.
9. Learned counsel for the respondents opposes the prayer of the petitioner. It has been submitted that the medical boards clearly found that the petitioner was suffering from mild squint in the left eye and that he is unfit for the job.
10. The guidelines for recruitment of medical examination have been placed before this Court. One of the grounds for rejection is - any degree of squint. It has further been submitted that as the petitioner was detected with mild squint, accordingly, he cannot be recruited.

11. I have heard the respective submissions advanced by the learned counsels for the parties and have perused the materials on record placed before this Court.
12. The petitioner applied for recruitment in CAPF. He was medically tested and examined by the DME Board and also by the RME Board. Though the DME Board found the petitioner to be unfit on two grounds, the RME Board found the petitioner unfit for on ground that is mild squint in the left eye.
13. According to the guidelines for recruitment, any degree of squint is a general ground for rejection of the candidature.
14. Submission of the petitioner that he was tested by the State Government hospital and thereafter by AIIMS and no squint could be found will not come to the aid of the petitioner. As the petitioner was competing for recruitment in CAPF, observation of the medical boards of the CAPF will be the ultimate consideration.
15. Criteria of fitness required for appointment in CAPF may differ from the fitness level of a civilian. Squint of CAPF personnel is a ground for rejection of his candidature. As one of the grounds for rejection of the petitioner is mild squint, accordingly, the prayer of the petitioner for appointment in CAPF, despite such observation of the DME and RME Boards, cannot be accepted.
16. On a perusal of the general grounds for rejection, it appears that glaucoma is not one of the grounds mentioned therein. The ground for rejection of the candidature of the petitioner is squint. Since the petitioner's squint has been detected both by the DME and RME Boards,

hence the Court does not think it fit to interfere with the decision of the medical boards of CAPF.

17. The writ petition fails and is hereby dismissed.
18. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
19. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]