

Form No. J(2)
Item No. DL/3
ARPAN – A.R. (CT)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. NO. 28698 OF 2025

MD. ASHIK MONDAL

Vs.

UNION OF INDIA & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner	: Mr. Debasish Kundu, Adv. Mr. Bidan Modak, Adv. Ms. Arpita Kundu, Adv.
For the Union of India	: Mr. Ram Chandra Agarwal, Adv. Mr. Tapan Bhanja, Adv.
Hearing concluded on	: 05.02.2026
Judgment On	: 05.02.2026

SAUGATA BHATTACHARYYA, J.:

1. Matter is heard in presence of the learned advocates representing the petitioner and the Union of India.
2. In terms of the order dated 19th December, 2025, a report in the form of affidavit affirmed on 3rd February, 2026 on behalf of the Inspector

General of Police, Central Reserve Police Force is filed before this Court today and same is taken on record.

3. Petitioner participated in the selection process for being appointed as Constable (G.D.) under Central Armed Police Forces (CAPFs). Petitioner qualified in both the written test and physical standard test but in review medical examination on 21st November, 2025 petitioner was declared unfit on the ground of palmar hyperhidrosis.
4. Question raised in this writ petition whether palmar hyperhidrosis (sweating of palm) is a valid ground to declare a candidate unfit for being recruited as Constable (G.D.) under CAPFs or not.
5. In order to vindicate decision taken in review medical examination on 21st November, 2025, in the report filed today on behalf of the respondent authorities, reliance is placed on Clause 6(16) of the Guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles as revised in May, 2015.
6. In order to decide the issue, Court finds Clause 6(16) of the revised medical guidelines of May, 2015 needs to be quoted below:

“6. GENERAL GROUNDS OF REJECTION

16) Mental or nervous instability—evidence of nervous instability”

7. On perusal of the report filed today it appears that it is not established sweating of palm of the petitioner, as it was found during review medical examination on 21st November, 2025, is related to mental or

nervous instability which is contemplated under Clause 6(16) of the revised medical guidelines of May, 2015.

8. In paragraph 8 of the report filed today it is averred that palmar hyperhidrosis may be attributed to excessive stress and some cases may resolve after de-stressing. Therefore, it transpires that no conclusive medical findings were made which is adverse to the interest of the petitioner in relation to his appointment to the post of Constable (G.D) under CAPFs, rather on surmise and conjecture it was deduced that petitioner was unfit due to sweating of palm and attempt has been made to apply aforesaid Clause 6(16) which is found not tenable.
9. During course of hearing it is not demonstrated before this Court that there is specific provision which disqualifies a candidate to be appointed in the post of Constable (G.D.) under CAPFs, if he/she is diagnosed with palmar hyperhidrosis.
10. In view of aforesaid conspectus, respondent authorities are directed to treat the petitioner as medically fit candidate and take steps for appointing the petitioner to the post of Constable (G.D.) under CAPFs within a period of two (2) months from the date of communication of this order, if petitioner is found otherwise eligible.
11. With the above direction writ petition stands disposed of.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)