

S/L 11
08.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 29929 of 2025

Mahammad Ali

Vs.

Union of India & Ors.

Mr. Debasish Kundu

Mr. Bidan Modak

Mr. Sudepto Kumar Basu

...for the Petitioner.

Mr. S.N. Dutta

Mr. Anindya Sundar Das

...for the Union of India.

1. Exception filed by the petitioner to the report of the respondents in Court today be kept with the records.

2. The petitioner participated for recruitment as Constable-GD in Central Armed Police Forces. He has been declared medically unfit by the Detailed Medical Examination Board due to post-operative case of left Grade II Varicocele.

3. The Review Medical Board reiterated the same ground and declared the petitioner medically unfit.

4. Thereafter the petitioner got himself medically examined in State Government hospital and obtained a fit certificate in his favour.

5. The petitioner is aggrieved by the manner in which he has been medically examined by the Detailed Medical Examination Board and the Review Medical Examination Board.

6. Submission is that as per the medical guidelines for review medical examination in CAPFs, the review

medical board ought to obtain opinion of concerned specialist or super specialist of Government medical college and hospital.

7. It has been submitted that the specialist opinion was not obtained. In such a situation, the petitioner ought to be send for re-examination as all the medical reports that he obtained from other hospitals suggest that the petitioner does not suffer from any disease for which his candidature may be rejected.

8. Prayer has been made to reevaluate and reexamine the physical fitness of the petitioner by an independent medical board.

9. The respondents in their report have mentioned that as per the guidelines provided for review medical examination and as per the revised uniform guidelines for recruitment examination of Inguinal Region and Genitals, a moderate to severe degree of varicocele on the left side even without any testicular atrophy is ground for rejection.

10. Relying on the guidelines, the petitioner was declared unfit by the review medical examination board. The report of ultrasonography has been attached to the report filed by the authority.

11. According to the authority, the medical examination was conducted in consonance with the provisions contained in the Uniform Guidelines for recruitment and as the petitioner has been found to be unfit, accordingly, his candidature stood rejected.

12. It has been submitted by the petitioner that mild varicocele is an acceptable defect and the petitioner ought to give the benefit of the same. According to the authority, the condition of the petitioner is not mild but moderate which is Grade II. Mild defect is Grade I.

13. As per the Recruitment Rules, the decision of the Review Medical Board is final and no appeal can be entertained.

14. The prayer of the petitioner for conducting re-examination cannot be allowed as it does not appear that there was any doubt in the mind of the expert doctors who examined the petitioner with regard to his medical condition.

15. Had there been any doubt in the mind of the doctors or if the report furnished by the expert doctors of the authority was contradictory to each other, then only the question of obtaining further specialist opinion may arise.

16. This is not a case where there is any doubt with regard to the medical condition of the petitioner. All the expert doctors who examined the petitioner were of the same view that the petitioner suffered from left Grade II Varicocele.

17. As it appears that the expert doctors of the recruiting authority detected the aforementioned defect in the petitioner which is a ground for disqualification of candidature, accordingly, the Court is not inclined to interfere with the said finding.

18. As the petitioner participated for recruitment in the Central Armed Police Force, the medical certificate relied upon by the petitioner obtained from any other hospital in support of the submission that he does not suffer from any such defect, cannot be accepted.

19. The standard of fitness of a civilian is not the same as required in the armed forces where strict and stringent methods to assess physical fitness are resorted to.

20. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.

21. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

22. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)