

GAHC010188042023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4925/2023

RAJDEEP GHOSH
S/O PROJENDRA GHOSH, VILL-SONAKHIRA, P.O.-CHANDHKHIRA, P.S.-
PATHERKANDI, DIST-KARIMGNAJ (ASSAM), PIN-788725, ROLL NO.-
5111000325

VERSUS

THE UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY OF THE MINISTRY OF HOME AFFAIRS,
GOVT. OF INDIA, NEW DELHI-1

2:THE STAFF SELECTION COMMISSION
REPRESENTED BY THE CHAIRMAN
BLOCK NO. 12 CGO COMPLEX
LODHI ROAD
NEW DELHI-03

3:THE REGIONAL DIRECTOR
STAFF SELECTION COMMISSION
GUWAHATI
ASSAM
HOUSE FED COMPLEX
DISPUR
GHY-6

4:THE DIRECTOR GENERAL
BORDER SECURITY FORCE
BLOCK NO. 10
CGO COMPLEX
LODHI ROAD
NEW DELHI-03

5:THE INSPECTOR GENERAL
BSF
GUWAHATI FRONTIER
PATGAON
ASSAM-GHY-17

6:THE COMMANDANT (RECTT)
FRONTIER HQS
BSF
GUWAHATI
PATGAON
ASSAM-GHY-17

7:THE REVIEW MEDICAL BOARD
COMPOSITE HOSPITAL BSF
PATGAON
ASSAM-GHY-17

8:THE MEDICAL OFFICER
19 BN. BSF
ALAMGANJ (SUPERIGHAT)
DIST-DHUBRI
ASSA

Advocate for the Petitioner : MR. R MAZUMDAR

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

30.08.2023

Heard Shri R Mazumdar, learned counsel for the petitioner, who by means of this petition is aggrieved by an order dated 25.07.2023 whereby, the candidature of the petitioner has been cancelled and he has been released from service.

It is the case of the petitioner that he had participated in a recruitment process initiated vide an advertisement dated 21.07.2018 for recruitment of Constables (GD) in Central Armed Police Forces (CAPFs), NIA & SSF and Rifleman (GD) in Assam Rifles in the year 2018. The petitioner had earlier filed WP(C)/3809/2021 regarding an issue

which had cropped up on his candidature. The said writ petition, however, was allowed pursuant to which the petitioner was given the appointment. However, on joining, the petitioner was declared unfit due to "overweight" and "movement restriction on shoulder joint left more than right".

Shri Mazumdar, learned counsel for the petitioner has submitted that as on date, both the aforesaid factors are non-existing which requires the petitioner to be examined by a Review Medical Board.

Let Notice be issued, returnable within 4 weeks.

Shri SS Roy, learned CGC accepts notice on behalf of all the respondents.

Extra copy of the writ petition be furnished to the learned CGC by tomorrow i.e., 31.08.2023.

JUDGE

Comparing Assistant