

GAHC010211862023



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

Case No. : WP(C)/5723/2023

PABAN MECH
IRLA NO. 10831, S/O LATE ANANDA RAM MECH, R/O VILL- SUKAF
NAGAR, P.O.-DEMOW, P.S.-DEMOW, DIST- SIVASAGAR, ASSAM-785662

VERSUS

THE UNION OF INDIA AND 4 ORS.
REPRESENTED BY DIRECTOR GENERAL, CENTRAL RESERVE POLICE
FORCE, MINISTRY OF HOME AFFAIRS, CGO COMPLEX, LODHI ROAD, NEW
DELHI-110003

2:THE DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

3:THE DEPUTY INSPECTOR GENERAL OF POLICE
GROUP CENTRE CRPF
KHATKHATI
KARBI ANGLONG
ASSAM-782480

4:THE DIRECTOR
MEDICAL
CRPF
R.K. PURAM
NEW DELHI-110066

5:INSPECTOR GENERAL OF POLICE
COMPOSITE HOSPITAL
GUWAHATI

AMERIGOG
NINE MILE
ASSAM-78102

Advocate for the Petitioner : MR. K SINGHA

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

29.09.2023

Heard Mr. K. Singha, learned counsel for the petitioner.

This writ petition has been filed by the petitioner being aggrieved by the fact that he was employed as Assistant Commandant of Group Centre, CRP, Khatkhati. By the impugned order dated 14.04.2023 because of purportedly low medical category, he was brought down to the rank of Subedar Major(Min) under the provisions of Rule 108(4) of the CRPF Rules, 1955 read with Para 10.6.8 of the CRFT Establishment Manual. This order was passed upon the conclusions arrived by the Competent Authority that he remained under Low Medical Category of a permanent nature after completion of double of the normal probation period (4 years).

The learned counsel for the petitioner submits that the findings in this impugned order are not correct and they are not based on proper medical reports and appreciation of correct facts. He submits that earlier, he was under the Low Medical Category subsequently, he has been brought into Shape-I and accordingly this order of reverting the petitioner to the rank of Subedar Major (Min) from the rank of Assistant Commandant has been challenged.

Let Notice be issued, Returnable in four weeks.

Since Ms. R. Devi, learned CGC entered appearance, Notices are waived.
However extra copies be furnished within a period of one week from today.

List this matter after returnable date.

JUDGE

Comparing Assistant