

GAHC010274532025



undefined

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

Case No. : WP(C)/7090/2025

NANDA KISHOR BARMAN
SON OF SHRI KESHAB CH. BARMAN, RESIDENT OF VILLAGE- BILASPUR,
BILASPUR, PS- DOTOMA DIST- KOKRAJHAR, ASSAM PIN 783372

VERSUS

UNION OF INDIA AND 5 ORS.
REPRESENTED BY THE HOME SECRETARY, GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFAIRS MHA, NORTH BLOCK, NEW DELHI- 110001.

2:CENTRAL RESERVE POLICE FORCE

REPRESENTED BY THE DIRECTORATE GENERAL
CRPF RECRUITMENT BRANCH
EAST BLOCK -07
LEVEL-4
SECTOR-1
R.K. PURAM
NEW DELHI- 110066.

3:THE DIRECTORATE GENERAL

CRPF (RECRUITMENT BRANCH)
EAST BLOCK -07
LEVEL-4
SECTOR-1
R.K. PURAM
NEW DELHI- 110066

4:THE STAFF SELECTION COMMISSION

REPRESENTED BY THE UNDER SECRETARY TO THE GOVERNMENT OF

INDIA
MINISTRY OF PERSONAL
PUBLIC GRIEVANCES AND PENSIONS
BLOCK NO.12
CGO COMPLEX
LODHI ROAD
NEW DELHI -110003

5:EXECUTIVE BOARD

DME
REPRESENTED BY ITS PRESIDING OFFICER
CTGD- 2025
CAPFS
CH BSF
PATGAON
PO- AZARA
GUWAHATI-781017.

6:REVIEW MEDICAL EXAMINATION BOARD

REPRESENTED BY THE PRESIDING OFFICER
RME-CTGD-2025
CAPFS CH BSF
PATGAON
PO- AZARA
GUWAHATI-781017

For the petitioner (s) : Mr. S. Khound, Advocate

For the respondent (s) : Mr. S. S. Roy, CGC

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

07.01.2026

Issue notice making it returnable on 16.03.2026.

2. Mr. S. S. Roy, the learned CGC, accepts notice on behalf of

all the respondents. Extra copies of the writ petition be served upon him during the course of the day.

3. The petitioner herein is aggrieved by the action on the part of the respondent authorities, more particularly the Review Medical Examination Board dated 29.11.2025, wherein it was opined that the petitioner was unfit on the basis of the report of the ENT Specialist and the Dermatologist's opinion.

4. Today, pursuant to the directions issued by this Court to obtain instructions, an instruction has been placed before this Court by Mr. S. S. Roy, the learned counsel appearing on behalf of the respondents, which is kept on record and marked with the letter "X".

5. From a perusal of the said instruction, it is seen that though the Respondent Authorities have based their opinion on the reports of the ENT Specialist as well as the Dermatologist, they have not taken into consideration the contents of the opinion of the Dermatologist wherein it has been categorically mentioned that the petitioner was fit for the job. It appears from the instruction, more particularly at paragraph No. 6 of the document kept on record and marked with the letter "X" that merely on presumptions and assumptions, the Review Medical Examination Board had held the petitioner to be unfit. The said instruction,

therefore, *prima facie* appears to be contrary to the provisions of law, and accordingly, this Court is of the opinion that this is a fit case for passing interim directions.

6. This Court, therefore, directs that till the next date, one post in the category of Constable GD pursuant to the advertisement dated 05.09.2024 shall not be filled up.

7. The respondents are directed to bring on record their stand by filing an affidavit on or before 06.03.2026.

8. Liberty is given to the petitioner thereupon to file a reply on or before 13.03.2026.

9. An attempt shall be made to dispose of the writ petition on the next date.

JUDGE

Comparing Assistant