

GAHC010285712025



2026:GAU-AS:724

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

Case No. : WP(C)/241/2026

SRI BIPLAB RAJBANSHI
RESIDENT OF VILLAGE-KHARANIJAN, P.O.-SIMALUGURI, DISTRICT-
BISWANATH, ASSAM, PIN-784168.

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW
DELHI, PIN-110001

2:THE STAFF SELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
BOCK NO.-12
CGO COMPLEX
LODHI ROAD
NEW DELHI
PIN-110003.

3:THE REGIONAL DIRECTOR
NEAR STAFF SELECTION COMMISSION
HOUSEFED COMPLEX
ASSAM
DISPUR
GUWAHATI
PIN-781006

4:THE DIRECTORATE GENERAL CRPF
RECRUITMENT BRANCH
EAST BLOCK -07
LEVEL-4
SECTOR-01
R.K.PURAM
NEW DELHI

PIN-110066.

5:THE PRESIDING OFFICER
CT/GD RECRUITMENT EXAM 2025
RECRUITMENT BOARD CAPFS
RTC
SSB
SALONIBARI
DISTRICT-SONITPUR
ASSAM
PIN-784104

6:THE PRESIDING OFFICER
REVIEW MEDICAL EXAMINATION
BOARD NO.05
RTC
SSB
SALONIBARI
DISTRICT-SONITPUR
ASSAM
PIN-784104.

7:THE REGISTRAR
DEPARTMENT OF OPHTHALMOLOGY
TEZPUR MEDICAL COLLEGE AND HOSPITAL
TEZPUR
ASSAM
PIN-784010

BEFORE

HON'BLE MR. JUSTICE DEVASHIS BARUAH

For the Petitioner(s) : Mr. H. Baruah, Advocate

For the Respondent(s) : Ms. S. Baruah, Government Advocate

- Date on which Judgment was reserved : N/A
- Date of Pronouncement of Judgment : **21.01.2026**
- Whether the pronouncement is of the Operative Part of the Judgment : No
- Whether the full Judgment has been Pronounced : Yes

JUDGMENT AND ORDER (ORAL)

Heard Mr. H. Baruah, the learned counsel appearing on behalf of the Petitioner and Ms. S. Baruah, the learned Government Advocate, who appears on behalf of the Respondents.

2. The present writ proceeding is filed challenging the opinion rendered by the Review Medical Examination Report of the RME Board No. 05, RTC SSB Salonibari wherein it was opined that the Petitioner is unfit.

3. The materials on record show that in pursuance to a notice issued for recruitment of Constable (GD) in the Central Armed Police Forces (CAPFs) and SSF, Rifleman (GD) in Assam Rifles, and Sepoy in Narcotics Control Bureau Examination-2025, the Petitioner participated in the said recruitment process. While carrying out the medical examination, it was found that the Petitioner was not fit for appointment as a Constable (GD). The Petitioner thereupon requested for a review. The Review Medical Board by the opinion rendered on 27.11.2025 also concluded that the Petitioner was unfit on account of O/E Colour vision, found CPIV (Four) which is permitted up to CPIII (Three) only as per guideline.

4. It is the further case of the Petitioner that the Petitioner

thereupon carried out certain examination at the Tezpur Medical College and Hospital, Tezpur and the Registrar, Department of Ophthalmology of the said Medical College and Hospital had opined as follows:

“V/A: 6/6

6/6

EOM:WNL

Color Vision: WNL

Undilated Fundus: WNL

Lids: (N)

Conjunctiva: (N)

Cornea: Clear

Iris: (N)

Pupil: RRRL

AC: (N)

Lens: Clear

Sclera: (N)

History Notes:

No h/o medication

No h/o trauma”

The said opinion was given on 04.12.2025. It is under such circumstances, the Petitioner has approached this Court.

5. This Court has duly heard the learned counsels appearing on

behalf of the parties and has also perused the materials on record.

6. This Court also has taken note of that the Petitioner upon obtaining the medical opinion from the Tezpur Medical College and Hospital, Tezpur had not approached the Respondent Authorities by submitting a representation and had directly approached this Court.

7. This Court in exercise of the powers conferred under Article 226 of the Constitution of India cannot sit on appeal and, more particularly, in respect to varied medical opinions rendered by the Review Medical Board of the Respondent Authorities as well as the Tezpur Medical College and Hospital, Tezpur.

8. Under such circumstances, it is not a fit case for entertaining the writ petition.

9. Be that as it may, the Petitioner is always at liberty to submit a representation along with the necessary documents before the Review Medical Board of the Respondent Authorities and the Review Medical Board on the basis thereof can very well look into the same.

10. Accordingly the instant writ petition stands disposed of with the following observations and directions:

(i). In the present facts and circumstances of the case as observed above, this Court is not inclined to entertain the instant

writ petition.

(ii). The non-entertaining of the writ petition shall not preclude the Petitioner to submit a representation before the Review Medical Board of the Respondents seeking a re-consideration on the basis of the medical opinions available with the Petitioner as discussed above.

(iii). In the circumstance, any representation is submitted within 10 (ten) days from today, the Review Medical Board of the Respondents shall look into the same and do the needful in accordance with their guidelines within a period of 60 (sixty) days from the date of receipt of the representation.

JUDGE

Comparing Assistant