

GAHC010289752025



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

Case No. : WP(C)/115/2026

SRI DILWAR HUSSAIN
S.O-FARUK AHMED, R.O -VILL. GAMARIA, P.O-GAMARIA, P.S-
RAMKRISHNA NAGAR,
DIST.-SRIBHUMI, ASSAM, PIN-788156

VERSUS

THE UNION OF INDIA AND OTHERS
REPRESENTED BY THE SECRETARY TO THE GOVT OF INDIA, MINISTRY
OF HOME AFFAIRS, KARTAVYA BHAVAN 03, JANAPATH, NEW DELHI, PIN-
110001

2:THE DIRECTOR GENERAL (D AND G)
CAPF
CGO COMPLEX
LODHI ROAD
DELHI
110003

3:DME BOARD
TO BE REPRESENTED BY THE PRESIDING OFFICER
CT GD 2025 RECTT
DME BOARD
GC CRPF
SILCHAR 788014

4:THE REGISTRAR OF ORTHOPEDICS
SILCHAR MEDICAL COLLEGE AND HOSPITAL
GHUNGOOR
SILCHAR
DIST CACHAR
ASSAM

PIN 788014

5:RME BOARD
TO BE REPRESENTED BY THE PRESIDING OFFICER
CT GD 2025 RECTT
RME BOARD
GC
CRPF
SILCHAR 788014

6:THE STAFF SELECTION COMMISSION (SSC)
REPRESENTED BY THE CHAIRMAN
SSC
BLOCK NO 12
CGO COMPLEX
LODHI ROAD
NEW DELHI 11000

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

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

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 08.01.2026

Issue notice making it returnable on 16.03.2026.

2. Mr. S.S. Roy, the learned CGC appears on behalf of the respondent Nos. 1 to 6 and accepts notice.
3. Extra copies of the writ petition be served upon him by 09.01.2026.

4. The petitioner herein is aggrieved by the rejection of his candidature on the basis of the opinion of the Review Medical Board dated 22.11.2025 wherein it was opined that the petitioner was unfit due to right scapula higher level than the left scapula (Drooping of left Shoulder present).

5. The learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to the impugned opinion and submitted that the said opinion was based upon the opinion of an orthosurgeon taken from Silchar Medical College and Hospital. In the said opinion rendered by the Silchar Medical College and Hospital, it was opined that the bony outline and density appeared normal and that the visualized joint spaces also appeared normal. It was further opined that the soft tissue shadow also appeared normal. The learned counsel appearing on behalf of the petitioner further drew the attention of this Court to the General Instructions for the Recruitment Board contained in the Uniform Guidelines for Medical Examination Test for recruitment in CAPFs, NSG, & AR and submitted that it is the requirement of the guidelines that when there is any defects/deformities which is either known medical literature with reference to defect or deformity, where no known references are available, the defect/infirmity may be elaborately justified with reference to service requirement for which the candidate is

being rejected.

6. The learned counsel further submitted that the impugned opinion also is contrary to the opinion obtained from the Orthopaedic surgeon of the Silchar Medical College and Hospital. Additionally, the learned counsel referring to Clause 6 of the Guidelines which stipulates the General Grounds for Rejection and it does not contain the drooping of the shoulder rather it is a Minor Acceptable Defect as mentioned in Clause 7(n) of the Guidelines. He therefore submitted that the impugned Medical opinion is required to be interfered with.

7. This Court has perused the materials and record and has also taken note of the opinion rendered by the Orthopedic surgeon of the Silchar Medical College and Hospital as well as the Guidelines which have been issued and is prima facie satisfied that the petitioner has been able to make out a case for passing interim directions.

8. Accordingly, 1 (one) post of Constable (GD) in the Central Armed Police Forces in terms of the notice dated 05.09.2024 be not filled up till the next date.

9. The respondents herein are directed to file their response on or before 06.03.2026.

10. Liberty is given to the petitioner to file reply by 13.03.2026.

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

12. List accordingly.

JUDGE

Comparing Assistant