

04.03.2025

Court No.23

ML -26

(pp)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 28643 of 2024

Dhiraj Sah
versus
Union of India & Ors.

Mr. Debasish Kundu

....for the Petitioner

Mr. Pramit Kumar Ray, Sr. Adv.,
Mr. Ram Chandra Agarwal,
Mr. Tapan Bhanja,

....for Union of India.

The petitioner participated in the recruitment process of Constable (GD) in Central Armed Police Forces (in short, "CAPFs"), SSF and Rifleman (GD) in Assam Rifles Examination for the year 2024.

The petitioner after having crossed the initial stages of the said examination was medically examined in the Detailed Medical Examination (in short, "DME") which took place on 27th September, 2024. The petitioner was declared unfit due to "Defective DV (R – 6/9, L – 6/12) and Varicose Vein in right leg".

The petitioner applied for Review Medical Examination (in short, "RME") which was held on 1st October, 2024. The petitioner was declared unfit of having varicose vein in right leg.

This writ petition was filed on 29th November, 2024 and as such cannot be said to have been filed at a belated stage. The petitioner says that from the RME report it appears that the petitioner has varicose vein in right leg, although the petitioner has no varicose vein. The petitioner ought to have been declared fit instead of unfit on the ground of varicose vein.

There is a detailed instruction in the guidelines for recruitment of Constable (GD) in CAPFs, SSF and Rifleman (GD) in Assam Rifles being the revised guidelines as on May, 2015 (hereinafter referred to as, said guidelines). The RME has to be conducted in accordance therewith.

On behalf of the respondents, it is submitted that the selection list has been published by the Staff Selection Commission (in short, "SSC") on 13th December, 2024 and has been duly uploaded in the official website. The selection process is on the verge of completion and as such the writ petition should not be entertained to disrupt the selection process which is at the stage of issuing appointment letters.

After hearing the parties and considering materials on record, I direct the respondents to file a report in the form of an affidavit stating in details the number of vacancies for which the selection process was started, number of selected candidates with the last cut-off marks in all categories, the number of appointments

made till date, the last appointee with his marks and whether any unfilled vacancy is there.

Let such report in the form of an affidavit be filed by 17th March, 2025 with copy to the learned advocate for the petitioner.

Exception, if any, be filed on or before the next date.

Let this matter appear on 19th March, 2025.

(Arindam Mukherjee, J.)