

(2011) 11 P&H CK 0191

High Court Of Punjab And Haryana At Chandigarh

Case No: C.W.P. No. 20679 of 2011

Gurmeet Singh

APPELLANT

Vs

Union of India and others

RESPONDENT

Date of Decision: Nov. 8, 2011

Hon'ble Judges: Mahesh Grover, J

Bench: Single Bench

Judgement

Mahesh Grover, J.

In this writ petition the petitioner makes a grievance that as a result of his having wrongly declared medically unfit he has been denied employment as a constable.

2. The petitioner was held to be medically unfit against which decision he filed an appeal and the Review Medical Board examined him afresh and declared him unfit on account of varicose veins (right leg).

3. Learned counsel for the petitioner refers to Annexure P-11 to contend that the Medical Officer at Civil Hospital, Ajnala has found him medically fit for the job. He thus contends that there is variation in the reports of the two doctors.

4. On due consideration of the matter, I am of the opinion that the reliance of the petitioner on the report of the Medical Officer at Ajnala is insignificant as far as the case of the petitioner is concerned for the simple reason that this officer is an alien to the process of recruitment being carried out by the respondents. As against this, the Review Medical Board has examined the petitioner and has found him to be unfit on account of Varicose Veins. The dictionary meaning of Varicose suggests that there is a difficulty in the veins of the leg on account of its being twisted, swollen and lengthened as a result of poor circulation. In view of the aforesaid, this Court cannot substitute its opinion to replace the opinion of the Medical Board as it is not adequately equipped to comment upon any intricacies of the medical science and the effect of the problem on the employment. Such matters are best left to the medical fraternity and the competent authorities who are looking into such aspects.

The petition is thus held to be without any merit. However, the respondents are free to take another opinion in case such a problem can be rectified, and upon such rectification, the petitioner, if found fit, may be considered for employment.

5. Petition disposed of.