IN THE HIGH COURT OF JHARKHAND AT RANCHI WP(S) No. 7123 of 2012

-Versus-

Indrajeet Mahto and others ... Petitioners

Union of India and ors.

CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

Respondents

For the Petitioner :M/s. S.N. Prasad and S. Shekhar

For the Respondents :J.C. to ASGI.

7- 7.8.2013 Learned counsel for the petitioners is permitted to implead Ministry of Home Affairs through the Secretary as respondent no. 5 by carried out necessary correction in the main writ petition in red ink during course of the day.

Heard learned counsel for the parties.

The petitioners herein have approached this Court to direct the respondents to appoint them on the post of Constable (Ground Duty) in terms of advertisement pursuant to examination conducted on 5.6.2011 at different centres by respondent no. 2, Staff Selection Commission (Eastern Region), Department of Personnel and Training, Government of India for recruitment in the Central Reserve Police Force. According to the petitioners, they had qualified in the physical efficiency test and had appeared in the written examination but they had been declared unfit by the Medical Board on Medical Examination. Petitioner nos. 1 and 2 were declared unfit on 9.8.2011 and petitioner no. 3 was declared unfit on 25.8.2011 but with liberty that the petitioners may file an appeal before Review Medical Board within a period of 15 days. In the review medical examination held on 22.11.2011 and 4.11.2011 vide Annexure-6 (series), these petitioners were, however, declared fit. Even thereafter these petitioners have not been given appointment, therefore, they were compelled to move before this Court in the present writ application.

The respondent-Union of India have appeared and file their counter affidavit stating in Para-4 that the Staff Selection Commission

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carried out the recruitment for the post of Constables (Ground Duty) in C.R.P.F. as per the scheme of recruitment/Policies described by the Ministry of Home Affairs. The petitioners were candidates of the combined recruitment exercise of constable and were declared unfit in initial medical examination. On appeal, they were called for review medical examination and were declared fit in the Review Medical Examination. However, their names could not find place in the list of the candidates as per the scheme of the examination. The petitioners in the meantime, approached this Court in the present writ petition being aggrieved by non-selection. The commission has, however, revised the result of the candidates and prepared a revised merit list, which has been sent to the Ministry of Home Affairs vide letter no. 6/72/2012-P&P-I dated 15.4.2013 for further needful action at their end.

Learned counsel for the petitioners submits in the wake of such statements made in the counter affidavit filed on behalf of the Commission the respondents should be directed to complete the exercise within a fixed time frame in the matter of taking appropriate decision for appointment of these petitioners.

Learned counsel for the respondent-Union of India also does not object to such a request.

Having heard learned counsel for the parties and gone through the stand, which has been indicated in the counter affidavit filed on behalf of the respondents, it appears that the petitioners have subsequently been declared fit in the Review Medical Examination on their appeal and a revised merit list prepared by the commission has been sent to the Ministry of Home Affairs vide letter dated 15.4.2013 for further needful action.

In such situation, the writ petition is disposed of by directing the competent authority in the Ministry of Home Affairs, Government of

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India to take an appropriate decision in this regard as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the aforesaid observation and direction.

(Aparesh Kumar Singh, J.)

Pandey