

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Madhuresh Prasad

And

The Hon'ble Justice Prasenjit Biswas

**M.A.T. 903 of 2026
With
CAN 1 of 2026**

Jayasree Sarkar

Versus

Union of India and others

Mr. Gunjan Kr. Singh,
Ms. Rupsa Maity,
Mr. Prakash Mishra,
Mr. Niranjana Yadav

... for the appellant.

Mr. Tushar Kanti Har,
Mr. Anindya Sundar Das

... for the Union of India.

Heard on : 03.8.2026

Judgement on : 03.8.2026

MADHURESH PRASAD, J.:

Re: CAN 1 of 2026

1. It is submitted by the learned advocate for the appellant that there is delay of 22 days in preferring the appeal.
2. Having regard to the averments made in the application, the respondents did not raise any objection to the condonation application.
3. The delay is condoned.
4. The application for condonation bearing CAN 1 of 2026 is allowed.

Re: M.A.T. 903 of 2026

5. Heard the learned advocate for the appellant.
6. The appellant participated in the process of recruitment for appointment of Constable (General Duty) in the Central Armed Forces. The appellant/petitioner was held to be unfit by the Detailed Medical Examination (for short 'DME') which noticed multiple cut/scar marks on her left forearm and also on the

chin. The same were considered to be self-inflicted. Therefore, finding the petitioner's/appellant's mental stability not up to the mark, the candidature was rejected. The writ petitioner had an option to avail the review of the DME.

7. The Review Medical Examination (for short 'RME') was, accordingly, conducted on 08.12.2025. The conclusions of the RME are substantially the same, finding the petitioner/appellant unfit for serving the Central Armed Forces, which requires high level of endurance, mental strength and stability; and where duties are to be discharged, bearing arms and ammunitions.
8. The RME dated 08.12.2025 also found the petitioner/appellant to be having 8 to 10 self-inflicted cut/scar on her left forearm and chin. Such findings bear the petitioner's/appellant's signature/endorsement.
9. Learned advocate for the appellant submits that the enormity of the exercise of appointments/recruitments does not allow much time to the candidates to apply their mind. Having regard to the early stage of the academic carrier of the petitioner/appellant, the court should allow the petitioner's/appellant's contention that she signed the findings of the RME in haste and without realizing the consequence thereof.

10. We find no force in such submission. The selfsame finding of self-inflicted scar, recorded by the DME, was taken up by the petitioner/appellant before the RME. If the finding was disputed, then it is beyond any stretch of imagination that she would again sign/endorse the selfsame findings of the RME, which are in line with the findings of the DME, that she was having self-inflicted cut/scar (multiple) on her left forearm.
11. The learned advocate has also tried to persuade us with reference to the Mental Health Care Act, 2017 to submit that mental illness is to be certified in accordance with the Act of 2017.
12. We find no force in such submission. The issue arising before the DME and RME was limited to an assessment of the suitability of a candidate for the Central Armed Forces. The issues which are covered by the Mental Health Care Act, are with reference to the protection, promotion and fulfillment of the rights of persons, who required mental health care and services and matters connected thereto. The provisions of the Act have no application to the recruitment in question. Therefore, we are of the view that reliance on the provisions contained in the 2017 Act, in our opinion, is misplaced.

13. We find no infirmity in the decision of the learned Single Judge declining to interfere with such findings of the RME, based on which the petitioner/appellant was found unsuitable for the recruitment in question.

14. The appeal is dismissed.

(Madhuresh Prasad, J.)

I agree,

(Prasenjit Biswas, J.)