
(2026) 01 GAU CK 1394
In the Gauhati High Court
Case No : WP(C) Of 49 Of 2026

Saidul Ali

APPELLANT

Vs

Union Of India And 5 Ors

RESPONDENT

Date of Decision : 08-01-2026

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2026) 01 GAU CK 1394

Hon'ble Judges : Devashis Baruah, J

Bench : Single Bench

Advocate : A. M. Khan, S. S. Roy

Final Decision : Disposed Of

Judgement

Devashis Baruah, J

1. Heard Mr. A.M. Khan, the learned counsel appearing on behalf of the petitioner and Mr. S. S. Roy, the learned CGC, who appears on behalf of the respondents.
2. The present writ proceeding is filed challenging the opinion rendered by the Review Medical Examination Board-2 of the Centre-CAPFs, CH BSF, Patgaon wherein it was opined that the petitioner is unfit.
3. The materials on record show that in pursuance to a notice issued for recruitment of Constable (GD) in the Central Armed Police Forces (CAPFs) and SSF, Rifleman (GD) in Assam Rifles, and Sepoy in Narcotics Control Bureau Examination-2025, the petitioner participated in the said recruitment process. While carrying out the medical examination, it was found that the petitioner was not fit for appointment as a Constable (GD). The petitioner thereupon requested for a review. The Review Medical Board by the opinion rendered on 25. 11.2025 also concluded that the petitioner was unfit on the ground that Pectus Excavatum was found present and the huller index abnormal 2.8.
4. It is the further case of the petitioner that the petitioner thereupon carried out

certain examination at the Gauhati Medical College and Hospital, Guwahati and it is the case of the petitioner that the Registrar, Department of Orthopaedics of the said Medical College and Hospital had opined that no abnormality in chest and no obvious medical illness was found with the petitioner. The said opinion was given on 29.11.2025. It is under such circumstances, the petitioner has approached this Court.

5. This Court has duly heard the learned counsels appearing on behalf of the parties and has also perused the materials on record.

6. This Court also has taken note of that the petitioner upon obtaining the medical opinion from the Gauhati Medical College and Hospital, Guwahati had not approached the Respondent Authorities by submitting a representation and had directly approached this Court.

7. This Court in exercise of the powers conferred under Article 226 of the Constitution of India cannot sit on appeal and, more particularly, in respect to varied medical opinions rendered by the Review Medical Board of the Respondent Authorities as well as the Gauhati Medical College and Hospital, Guwahati.

8. Under such circumstances, it is not a fit case for entertaining the writ petition.

9. Be that as it may, the petitioner is always at liberty to submit a representation along with the necessary documents before the Review Medical Board of the Respondent Authorities and the Review Medical Board on the basis thereof can very well look into the same.

10. Accordingly the instant writ petition stands disposed of with the following observations and directions:

(i). In the present facts and circumstances of the case as observed above, this Court is not inclined to entertain the instant writ petition.

(ii). The non-entertaining of the writ petition shall not preclude the petitioner to submit a representation before the Review Medical Board of the respondents seeking a re-consideration on the basis of the medical opinions available with the petitioner as discussed above.

(iii). In the circumstance, any representation is submitted within 10 (ten) days from today, the Review Medical Board of the respondents shall look into the same and do the needful in accordance with their guidelines within a period of 60 (sixty) days from the date of receipt of the representation.