

HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE

S.B.: HON'BLE MR. S. C. SHARMA, J

WRIT PETITION NO. 12160 / 2010

CT/C RAJKUMAR PAIK

Vs.

UNION OF INDIA  
& 4 OTHERS

\* \* \* \* \*

**ORDER**  
( 30/9/2011)

The petitioner before this Court has filed this present writ petition being aggrieved by the order dt. 1/9/10 medically boarding out the petitioner, meaning thereby, discontinuing from service on account of the Colour Blindness. The petitioner is also aggrieved by the order dt. 5/10/10 (Annexure P/14) passed by the Commandant, 4<sup>th</sup> Signal Batallion, CRPF, Neemuch.

Learned counsel for the petitioner, at the outset, has informed this Court that the controversy involved in the present case has already been decided by the Delhi High Court in the case of Sudesh Kumar Vs. Union of India and another W.P. (C) No. 5077 / 2008 as well as in other identical cases which have been decided by a common order dt. 22/3/11. Learned counsel has fairly stated before this Court that the respondents be directed to scrutinise his case afresh and to pass appropriate

orders keeping in view the judgment delivered by the Delhi High Court within 30 days.

Learned counsel for the respondent Union of India has fairly stated before this court that necessary orders shall certainly be passed in the matter keeping in view the judgment delivered by the Delhi High Court in identical facts and circumstances. This Court has carefully gone through the judgment delivered by the Delhi High Court and the petitions before the Delhi High Court were involving a common issue relating to colour blindness of employees serving the Central Para Military Forces. The Delhi High Court has directed reinstatement in the case of Babulal Samatha Vs. Union of India and another (WP (c) No. 11554 / 2009) and therefore keeping in view the judgment delivered by the Delhi High Court, the respondents are directed to review the case of the petitioner, keeping in view the aforesaid judgment and to pass necessary orders within a period of 30 days from the date of receipt of certified copy of this order. With the aforesaid, the writ petition stands disposed of. No order as to costs. Certified Copy, as per Rules.

(S. C. SHARMA)  
J U D G E