



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

107

CWP-24933-2025

Date of Decision: 25.09.2025

NISHA VERMA

...Petitioner

Vs.

STATE OF PUNJAB AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ramneek Singh Baweja, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

Mr. Avinit Avashti, Advocate for PGIMER

JAGMOHAN BANSAL, J. (ORAL)

1. On 27.08.2025, following order was passed by this Court:-

“1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to issue her appointment letter.

2. The petitioner pursuant to advertisement No.6/2021 applied for the post of Constable in the Technical and Support Services Cadre of Punjab Police. She successfully qualified written examination. She was physically examined on 01.12.2022. She was medically declared unfit during medical examination by Civil Surgeon, Patiala. It was reported that there is deficiency in eye. The petitioner claims that she has got herself medically examined from Government Rajendera Hospital, Patiala on 13.03.2024 and Mata Kaushalya Government Hospital, Patiala on 08.07.2024. Both have unequivocally confirmed that there is no deficiency in eye. She made representations to respondent for re-medical examination by an independent Board but to no avail. Many candidates with lower marks

have been appointed.

3. *Mr. Ramneek Singh Baweja, Advocate submits that vision of petitioner was incorrectly measured by Medical Officers. She is having 6/6 vision.*

4. *Mr. Aman Dhir, DAG, Punjab submits that there is possibility that petitioner has undergone surgery. On account of surgery, her vision may be corrected.*

5. *To resolve the issue, Director, P.G.I.M.E.R., Chandigarh is hereby requested to constitute a Board of Doctors to examine vision of the petitioner. The examination would be conducted in the presence of representative of the respondent. It would also be pointed out whether petitioner had undergone eye surgery during 2022-2024.*

6. *The petitioner shall appear before the Director P.G.I.M.E.R., Chandigarh on 03.09.2025 at 10.30 a.m.*

7. *The petitioner shall prepare a demand draft of Rs. 50,000/- in favour of Poor Patients Welfare Fund, P.G.I.M.E.R., Chandigarh. If contention of petitioner is found correct, the draft would not be encashed otherwise she will deposit the said draft with P.G.I.M.E.R. authorities.*

8. *Adjourned to 10.09.2025.”*

2. Pursuant to aforesaid order, the petitioner was subjected to medical examination at Advanced Eye Centre, Postgraduate Institute of Medical Education and Research, Chandigarh (in short 'PGI') on 09.09.2025. Mr. Avinit Avashti, Advocate for PGI during the course of hearing produced report of the PGI. The same is taken on record and reproduced as below:-

“The Medical Board consisting of 3 members i.e. Dr. Pankaj Gupta, Dr. Chintan Malhotra and Dr. Mohit Dogra examined Ms. Nisha Verma d/o Mr Rakesh Kumar, 28-year-old female, resident of 65 ST 1 Guru Nanak NGR Seel

Road Bahadurgarh, Punjab, India vide CR No 202503998011 at the Advanced Eye Centre. POIMER. Chandigarh on 09.09.2025. On examination, her unaided visual acuity was 6/6 in both eyes. Her colour vision was within normal limit in both eyes. Her anterior and posterior segment examination of both eyes was within normal limits. Her pentacam examination for both eyes done for corneal topography and corneal thickness was within normal limits. Her Anterior segment OCT examination was also within normal limits.

On clinical evaluation there is no evidence of the patient having undergone any previous eye surgery.”

3. From the perusal of above-quoted report, it is quite evident that unaided visual acuity of the petitioner is 6/6 in both eyes. Report of doctors who medically examined petitioner during the course of selection process is contradictory to report of PGI. During the course of previous hearing, Learned State counsel expressed his apprehension that petitioner might have undergone medical procedure entailing her unaided visual acuity as 6/6.

4. On being confronted with aforesaid medical report, learned State counsel concedes that petitioner was examined in the presence of official of the respondent. He further concedes that apprehension of State that petitioner might have undergone medical procedure has been considered by Board of Doctors of PGI and stands attenuated.

5. On being asked, learned State counsel submitted that posts are still lying vacant and petitioner is meritorious. Her candidature was rejected on the ground of medical report. She was examined by Board of Doctors. She herself signed the medical report.

6. A conspectus of afore-stated facts reveals that there was intentional or unintentional error on the part of Doctors who examined petitioner during the selection process. On the asking of this Court, she was examined by a Board of Doctors constituted by Director, PGI, Chandigarh. There seems no reason to discard or disbelieve report of PGI especially when petitioner was examined in the presence of officials of respondents and respondent is unable to point out any infirmity in the said report.

7. In the backdrop, the instant petition deserves to be allowed and accordingly allowed. The respondents are hereby directed to issue appointment letter to the petitioner. The needful shall be done within four weeks from today.

8. As conceded by learned counsel for petitioner, she would not be entitled to notional or actual benefits of past period and her date of joining shall be her date of appointment. It is made clear that if appointment letter is not issued within one month from today, the petitioner shall be deemed to be in service w.e.f. 27.10.2025.

9. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

September 25, 2025

Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No