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NANDY

(DISMISSED)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/19885/2026

ANTIM BARIK
VS
UNION OF INDIA & ORS.

Mr. Debanjan Chatterjee, Advocate

.....for the Petitioner

Mr. Subrata Kumar Sinha, Advocate

.....for the Respondent Nos. 2 to 5

1. The petitioner is aggrieved that his candidature for the post of Junior Associate in the State Bank of India has been rejected without consideration of his disability, which is a 50% hearing impairment. The petitioner submits that he had furnished the requisite certificates which were considered by the authorities, in spite whereof his candidature was rejected.
2. Mr. Sinha, learned Advocate, appearing for the respondent Bank submits that the online registration of application by the authorities had been fixed between August 6, 2025 to August 26, 2025 and in terms of the applicable Rules for such recruitment, at clause 2(D) of the eligibility criteria specifies "*A person who wants to avail the benefit of reservation will have to submit latest Disability Certificate, on prescribed format, issued by Medical Authority or any other notified Competent Authority (Certifying Authority). The certificate should be dated on or before last date of registration of application.*".
3. The first certificate submitted by the petitioner on March 19, 2025 was within the stipulated time, but was a temporary certificate and hence could not be considered.

4. The second certificate evincing the petitioner to be permanently disabled by way of hearing impairment was dated 25.03.2026. This certificate was almost 6 months subsequent to the timelines provided in the recruitment process.
5. Mr. Sinha has also produced a verification form which contains a handwritten endorsement of the petitioner admitting that he is ineligible for recruitment to the post of Junior Associate by virtue of his disability certificate of 19.03.2025 being temporary.
6. I have considered the submissions of both parties and heard and perused the documents on record.
7. As will appear from the notification of March 12, 2024, being SO-1338(E) issued by virtue of Section 56 of the Rights of Persons with Disabilities Act, 2016, hearing impairment along with speech and language disability can only be considered if the disability certificate is of permanent nature. It is only if it relates to visual impairment that a temporary certificate can be relied upon.
8. The petitioner claims his rights as a physically handicapped person on the basis of hearing impairment. Thus, the petitioner ought to have relied upon and produced a certificate showing that his disability was permanent in nature within the stipulated time provided in the recruitment process.
9. The petitioner has admittedly produced a disability certificate within the stipulated time, which reveals his disability to be temporary in nature.

10. The certificate of permanent disability was dated March 26, 2026 while the recruitment process was between August 6, 2025 and August 26, 2025.
11. In view of the afore-stated, the petitioner not having a permanent disability certificate, has not been considered, which was intimated to the petitioner and duly accepted by him as will appear from the copy of the verification form, as produced by Mr. Sinha, which is kept on record.
12. In view of the afore-stated, the writ petition fails and is accordingly **dismissed** with no order as to costs.

(Reetobroto Kumar Mitra, J.)