

GAHC010217752024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5387/2024

SHANIDUL ISLAM
S/O- JAHANUR ISLAM, R/O- VILL- BOALKAMRI PT-I, P.O. BOALKAMRI,
DIST- DHUBRI, ASSAM- 783348

VERSUS

THE UNION OF INDIA AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO GOVT. OF
INDIA, MINISTRY OF HOME AFFAIRS, NEW DELHI- 110001

2:THE STAFF SELECTION COMMISSION (SSC)
REPRESENTED BY THE CHAIRMAN/SECRETARY
STAFF SELECTION COMMISSION
BLOCK-12
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003

3:THE REGIONAL DIRECTOR (NER)
STAFF SELECTION COMMISSION
RUKMINI NAGAR
P.O.- ASSAM SACHIVALAYA
GUWAHATI-06

4:THE DIRECTOR GENERAL
BORDER SECURITY FORCE (BSF)
BLOCK NO. 10
LODHI ROAD
PRAGATI VIHAR
NEW DELHI- 110003

5:THE DIRECTOR GENERAL

CENTRAL INDUSTRIAL SECURITY FORCE (CISF)
BLOCK NO. 13
CGO COMPLEX
NEW DELHI- 110003

6:THE DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE (CRPF)
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003

7:DIRECTOR GENERAL
ASSAM RIFLES
NONGRIMMAW
LAITUMUKHRAH
GORALINE SHILLON
MEGHALAYA- 793011

8:DIRECTOR GENERAL
INDO TIBETAN BORDER FORCE (ITBP)
BLOCK NO. 10
CGO COMPLEX
LODHI ROAD
NEW DELHI- 110003

9:DIRECTOR GENERAL
SHAHASRA SEEMA BAL (SSB)
5-6
VIVEKANANDA MARG
EAST BLOCK
R.K. PURAM
NEW DELHI- 11002

Advocate for the Petitioner : MR. D DEKA,

Advocate for the Respondent : DY.S.G.I., MRS S BARUAH (CGC)

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 04/11/2024

Heard Mr. D. Deka, learned counsel for the writ petitioner. Also heard Ms. S. Baruah, learned

CGC, appearing for the respondents.

The writ petitioner herein had participated in the recruitment process for filling up various posts of Constables (General Duty) in the different Central Armed Police Forces, initiated on the basis of advertisement notice dated 24/11/2023.

According to the petitioner, he had participated in the Physical Efficiency Test (PET) and Physical Standard Test (PST) wherein, various parameters including the height of the petitioner was measured. His height was found to be 164.5 cms. However, it is alleged that on an erroneous application of the relevant Rules and notifications, the petitioner has been disqualified on the ground that his height fell short by .5 cms.

Ms. S. Baruah, learned CGC, appearing for the respondents submits that similar writ petitions have been disposed of by this Court by granting leave to the candidates to prefer an appeal before the competent authority and, therefore, she would have no objection, if a similar order is passed in this case as well.

Mr. Deka, learned counsel for the petitioner has also agreed to such an order.

I find that by order dated 17/05/2024 passed in WP(C) No. 2641/2023, a similar writ petition was disposed of by this Court by granting leave to the petitioner to prefer appeal.

In view of the above and as agreed to by the learned counsel for the parties, this writ petition is being disposed of at the stage of motion hearing, by granting two weeks time to the petitioner from today, to prefer an appeal before the competent authority against the rejection of his candidature.

If such an appeal is filed within two weeks by enclosing a certified copy of this order, the same shall be taken on record and be disposed of by a reasoned order, as expeditiously as possible but not later than 30(thirty) days from the date of filing of the appeal.

Until such time the aforesaid exercise is completed, 1(one) post of Constable (GD) in the

Central Armed Police Force *qua* the writ petitioner, be kept vacant

With the above observation, the writ petition stands disposed of.

JUDGE

Sukhamay

Comparing Assistant