

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.543 of 2025

Shri Dipankar Sarkar,
Son of Shhri Debendra Sarkar,
Resident of village Bramhakunda, P.S. Sidhai,
Sadar North, District West Tripura.

.....Petitioner(s)

Versus

1. The Union of India, represented by the Secretary, Ministry of Home Affairs, Room No.113, New Delhi-110001.

2. The Director General, Border Security Force, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003.

3. The Inspector General, Border Security Force, HQ BSF Salbagan, Agartala, Tripura West 799012.

3. Presiding Officer, Aizawl Recruitment Centre, Conduct of PST/PET of Combine Recruitment Rally for Constable (GD) in CAPFs, and Rifleman (GD) AR 2025, Mizoram-796001.

4. The Under Secretary, Ministry of Home Affairs, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003.

----Respondent(s)

For Petitioner(s)	:	Mr. Tapas Kr. Deb, Adv.
For Respondent(s)	:	Mr. Bidyut Majumder, Dy. SGI
Date of hearing & delivery of Judgment & Order	:	22.04.2026
Whether fit for reporting	:	NO

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order (Oral)

Heard Learned Counsel, Mr. Tapas Kr. Deb appearing on behalf of the petitioner. Also heard Learned Dy. SGI, Mr. Bidyut Majumder appearing on behalf of the respondents-Union of India.

2. The case of the petitioner, in brief, is that the petitioner applied for the post of Constable (GD) in the Central Armed Police Forces (for short, CAPFs) against an advertisement dated 05.09.2024 (*Annexure-1* to the writ petition). The petitioner appeared in the Computer Based Examination and duly qualified. After that, he was called for Physical Standard Test (for short, PST)/Physical Efficiency

Test (for short, PET). In the PET/PST, one of the criteria in respect of North-Eastern States was that the male candidates should have height of 162.5 cm. When the petitioner undergone PET/PST that time, his height was found to be 162 cm and he was disqualified for selection. It was further the case of the petitioner that in the year 2022, in similarly situated examination, the petitioner appeared, when his height was found to be 163 cm. But surprisingly, during this present process of selection, his height was found to be 162 cm.

On 29.08.2025, the petitioner had again undergone Physical Fitness Test conducted by a Government Medical Doctor, wherein his height was found to be 163 cm and his weight was recorded as 62 kg, which is contrary to the test and report submitted by the Recruitment Board. Thus, under compelling circumstances, the petitioner has filed this writ petition seeking the following reliefs:

“(i) Issue RULE;

(ii) Issue Rule calling upon the Respondents or each one of them to show cause as to why a Writ of Certiorari cancelling/quashing/setting aside the impugned Physical Measurement Test Report forwarded by the Respondent No.3 dated 23.08.2025 (Annexure-2);

(iii) Issue Rule calling upon the Respondents or each one of them to show cause as to why the Physical Standard Test (PST) in respect of the Petitioner taken in the year 2022 should not be considered and to accept the Medical Certificate issued by the Government Doctor of a Government Public Health Centre, Mohanpur, Tripura should not be accepted as the current measurement taken by the Respondent Selection Board being wrong and incorrect and erroneous;

(iv) Issue Rule directing the Respondents or each one of them to appoint the Petitioner in the post of Constable (General Duty) under BSF as per his application for the selection process of 2025 as per advertisement published in the website of Staff Selection Commission vide (<https://ssc.gov.in>) dated 05.09.2024;

(v) In case the respondents show caused or not your Lordships may be pleased to make the Rule absolute in terms of the prayers made in Sl. i. ii. iii & iv as above;

AND

For this act of kindness your humble Petitioner as in duty bound shall ever pray.”

3. The respondents have contested the case by filing one counter affidavit wherein in para Nos.3 and 5 it was asserted as under:

"3. That, it is humbly submitted that Roll No.5601017020 Dipankar Sarkar, the petitioner herein has participated in the recruitment of Constable (GD) Exam-2025 as a SC Category candidate from the state of Tripura. And the PST/PET of the petitioner was conducted on 23rd Aug 2025 at 34 Assam Rifles, Aizawl (Mizoram) Rect Centre and the petitioner was found "Not Qualified" in PST due to lesser in height.

5. That, it is also submitted that as per para 10 (10.5.(x)) Guidelines for PST/PET as issued vide letter No.A.VI-1/2025-Rectt (SSB) -CT/GD-2025 dated 08th Aug 2025 it is clearly mentioned that "M/s Timing Technologies will responsible for correct measurement of PET/PST standards and any complaint/any legal dispute/court cases/RTI application filed against the recruitment process or any other purpose will be defended by firm at no extra cost". The writ petition is related to "Not Qualified" in PST due to lesser in height. However, the petitioner failed to implead M/S Timing Technologies (RFID firm) in the array of respondents. Therefore, the writ petition is not maintainable for non joinder of necessary parties.

Copy of the letter No.A.VI-1/2025-Rectt (SSB) -CT/GD-2025 dated 08th Aug 2025 is Annexed herewith and marked as Annexure-R/1."

However, at the time of hearing, Learned Dy. SGI appearing on behalf of the respondents-Union of India drawn the attention of this Court to Annexure-R/1 and submitted that the petitioner in this case did not implead M/s Timing Technologies (RFID Firm) as party. It was specifically mentioned in Annexure-R/1 that M/s Timing Technologies will be responsible for correct measurement of PET/PST standards and any complaint/any legal dispute/court cases/RTI application filed against the recruitment process or any other purpose will be defended by the firm at no extra cost. Referring the same, Learned Dy. SGI submitted that since the said firm has not been impleaded as party. So, no effective order can be passed against the respondents-Union of India at this stage and urged for dismissal of this writ petition.

4. It is the admitted position that said M/s Timing Technologies was engaged by the respondents-Union of India i.e. the respondent authority. So, there was no bar on behalf of the respondent authority to file their counter affidavit after obtaining necessary information/instructions from the said M/s Timing Technologies.

5. Here, in the case at hand, in the PET/PST, the height of the petitioner was found to be 162 cm whereas the observation and report of the Government Medical Doctor was different and his height was found to be 163 cm. It is pertinent to mention herein that the required height for selection was 162.5 cm. It was also submitted that in 2022 when the petitioner appeared in the same type of examination, his height was found to be 163 cm. It is surprising as to how the height of the petitioner has been reduced.

6. In course of hearing Learned Counsel for the petitioner submitted that for ascertaining the truth, the matter may be referred to any other authority for re-examination of the matter so that the candidature of the petitioner may be considered. Learned Dy. SGI also shared the same view.

7. Hence, it is ordered that the petitioner shall appear in-person before the Standing Medical Board of AGMC & GB Hospital, Agartala who shall examine the matter of the petitioner in presence of the representative of the respondent authority and if it is found that the height of the petitioner is 163 cm in that case the respondent authority shall consider the case of the petitioner if his candidature is found to be fit in all other respects within a further period of 2(two) months. The Medical Superintendent, AGMC & GB Hospital, Agartala shall arrange for medical examination of the present petitioner on or

before 20.05.2026 and thereafter shall supply a copy to the representative of the respondent authority and also shall supply a copy to the petitioner. The petitioner shall contact with the office of the Medical Superintendent, AGMC & GB Hospital, Agartala on or before 20.05.2026 and shall undergo the test and appear before the Standing Medical Board with the documents available with him when the representative of the respondent authority also shall remain present.

With this observation, the present writ petition stands disposed of.

A copy of this order be communicated to the Medical Superintendent, AGMC & GB Hospital, Agartala. A copy of this order be supplied to Learned Counsel for the petitioner for information and compliance. Also a copy of this order be supplied to Learned Dy. SGI for respondents-Union of India for information and compliance.

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

JUDGE

