

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11199 of 2015

1. Rai Banti Kumar Shreeuttam Son of Late Rai Shreeuttam, resident of village -
Balbandh, P.S. - Charpokhari, District - Bhojpur, Bihar.

.... Petitioner/s

Versus

1. The Union of India.
2. The Secretary, Ministry of Home Affairs, Government of India, New Delhi.
3. The Chairman, Staff Selection Commission, CAPFs (SCC for CAPF), Government of India, New Delhi.
4. The Director General, Directorate General, CRPF, CGO Complex, Lodhi Road, New Delhi.
5. The Director General, CISF, CGO Complex, Lodhi Road, New Delhi.
6. The Inspector General, CISF East Sector HQRS, Patliputra Near Raj Chikitsa, Boaring Road, Patna, Bihar.
7. The DIG, CISF, BSL Bokaro Jharkhand.
8. The Commandant, CISF, BSL Bokaro, Jharkhnad.
9. The Asstt. Commandant, CISF, BSL Bokaro, Jharkhand.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok

For the Respondent/s : Mr. S.D Sanjay, Sr. Advocate, Addl. Solicitor General
Dr Punam Kumari Singh, CGC

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 01-10-2015

Heard counsel for the petitioner and learned Additional
Solicitor General for Union of India.

Also perused the counter affidavit filed on behalf of the
Union of India.

Bereft of every other pleadings or assertion, the Court
had the privilege of having a look at the petitioner, who was present in
Court during the course of hearing, and it comes to a prima facie
opinion that the petitioner surely is not below the height of 170 cm,
the minimum required height on which ground he was rejected for

further consideration.

Since the written examination for recruitment is going to be held on 4th of October, 2015 and verification of the actual height of the petitioner any way can be done at any other stage including when the medical is held, if the petitioner reaches that position, therefore, irreparable injury will be caused to the petitioner if he is prevented from appearing in the written examination and the Court awaits the final adjudication. The Court directs that the petitioner will be permitted to appear in the written examination but that by itself will not give him right for such selection or appointment provided that on re-measurement, his height is found to be less than 170 cm by a proper board.

Writ application stands disposed of with a direction upon all the authorities conducting the examination that if the petitioner produces a copy of this order, that should work as an admit card for participation in the examination.

Let a copy of this order be handed over to learned Additional Solicitor General appearing for Union of India for communication.

(Ajay Kumar Tripathi, J)

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