

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3383 of 2021

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Md. Safruddin Ansari Son of Mantujar Ansari Resident of Village- Gidha,
Ward No.-05, P.O.- Chaubey Tola, P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

1. The Union of India India.
2. The Secretary Ministry of Defence, Government of India, New Delhi.
3. The DDG (Recruiting) Head Office, Bihar and Jharkhand, Danapur Cant.
4. The Directorate General of Recruiting Army Recruitment Office,
Muzaffarpur.
5. The Director Recruiting Army Recruiting Office (ARO), Chakkar Maidan,
Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar
For the U.O.I. : Mr. Anshay B. Mathur

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 29-01-2022

The matter is heard via video conferencing due to
circumstances prevailing on account of the COVID-19
pandemic.

2. In the present petition, petitioner has prayed for
following reliefs:

“[A] For issuance of an appropriate writ order or direction setting aside/quashing the office order contained in Memo No-D/503 dated 21-11-2020 (Annexure-8) issued by the Director Recruiting, Army Recruiting Office (ARO), Chakkar Maidan, Muzaffarpur whereby candidature of the present petition for being enrolment into the Indian Army, has been cancelled on the ground that “*during pre dispatch med exam you failed to fulfill height*



criteria of 169 cm as per policy in vogue”.

[B] For issuance of an appropriate writ order or direction commanding the respondents to issue appointment letter after appointing the petitioner pursuant to his participation and selection in Recruitment Rally conducted by Army Recruiting office, Muzaffarpur at Chakkar Maidan in the month of November/ December 2019 & January 2020.

[C] For issuance of an appropriate writ order or direction commanding the respondents dispose of the representation/petition dated 03-12-2020 addressed to the DDG (Recruiting), Head Office, Bihar & Jharkhand, Danapur Cant in which entire factual details were incorporated and ultimately prayer was made for issuance of appointment letter.

[D] For any other relief or reliefs for which petitioner is deemed entitled by this Hon’ble High Court in the facts and circumstances of the case.”

3. Under Section 17 of the Armed Forces Act, 2007, petitioner has remedy before the jurisdiction Armed Forces Tribunal.

4. Accordingly, the present petition stands dismissed as not maintainable reserving liberty to the petitioner to prefer application/petition before the jurisdictional forum.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

