

30.11.2022
Item No. 11
Crt.No.11
b.r.

MAT 1172 of 2022
with
IA No. CAN 1 of 2022

Souvik Mondal
-vs-
Union of India & Ors.

Mr. Debasish Kundu
..... for the appellant.

Mr. S.N. Dutta
..... for the Respondents.

Mr. Debasish Kundu, learned counsel, appears for the appellant.

On behalf of the respondents/Union of India, Mr. S.N. Dutta, learned Counsel, appears.

As directed by the Order dated 28th of September, 2022, a Report has been filed by the President Medical Board for Commandant through the Learned Registrar in-Charge, High Court at Calcutta. Such Report has been placed today, wherefrom it reveals that the appellant/petitioner, namely, Souvik Mondal, was physically unfit for BSF Recruitment as because he was having a height of 169 CM.

From the Rules of Recruitment it reveals that a minimum of 170 CM was required for the said post and, as the said incumbent had only 169 CMS, so his claim for recruitment failed for being *physically unfit*.

Considering the factual findings as has been reported (*supra*), this Court does not find any reason to interfere with the Order impugned of the Hon'ble Single Bench.

No further orders are necessary in view of the confirmation of the factual findings.

MAT 1172 of 2022 along with **IA No. CAN 1 of 2022** stand accordingly **disposed of**.

Since Affidavits are not invited, allegations to the contrary are deemed to be denied and disputed.

Report of the Learned Registrar-in-Charge and the Report filed by President Medical Board for Commandant as produced in Court today be retained with the record.

All parties to act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all necessary formalities.

(Supratim Bhattacharya, J. (Subrata Talukdar, J.)