

20.
27.6.2023
S.D.

W.P.A. 14456 of 2023

**Papai Ghosh & Ors.
Vs.
Union of India & Ors.**

Mr. Debasish Kundu
..For the Petitioners

Mr. D.N. Ray
Ms. Amrita Pandey
...For the U.O.I.

The petitioners participated in the recruitment process for Constables (G.O.) in CAPs, NIA, SSF, Rifleman (G.D.) in Assam Rifle and Sepoy pursuant to a Recruitment Notification for examination to be held in 2022. Upon qualifying in the written test, the petitioners were called for Physical Efficiency Test (PET) and Physical Standard Test (PST).

Various candidates (Female and Male) appeared for Physical Standard Test from May 1, 2023 to May 15, 2023.

By the impugned Notification dated May 25, 2023, the DIG (Recruitment), CRPF directed that the 3600 candidates who appeared for PST from May 2, 2023 to May 12, 2023 (Female 1600 and Male 2000) will have to appear again for

PST. For administrative and technical reasons, the PST/PET held from May 2, 2023 to May 12, 2023 stood cancelled.

Mr. Kundu, learned counsel appears on behalf of the petitioners submits that all the petitioners are similarly placed. The petitioners were of successful candidates in the earlier PST. In the second PST that was held, all the petitioners were disqualified on the ground to chest measurements. In the earlier PST, it was held that the petitioners' chest measurements were between 80-85 cms.

Mr. Ray, learned counsel appearing on behalf of the Union of India submits that due to infirmities in conducting of PST/PET, it was necessary to re-conduct the said test on 3600 candidates. Upon re-conducting such test, the petitioners were found not to qualify in the same. Any prayer for Review Examination should have been made on the same day as per the rules of recruitment.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that the justice will be sub-served by directing the petitioners to appear for Review before the Appellate Authority of the Department by four weeks from the date of the application made by the petitioners.

In the event, the petitioners qualify in the PST, they will be sent for Detailed Medical Examination (DME).

With the directions aforesaid, **W.P.A. 14456 of 2023** is **disposed of**.

Since no affidavits have been directed to be exchanged in the present petition, all the allegations contained in the petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly 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 of all the formalities.

(Lapita Banerji, J.)