

23-11-2023
ct no. 13
Sl. 11
sp

WPA 24261 of 2023

Lalan Paswan

-Versus-

Union of India & Ors.

Mr. Tulshidas Ray,
Mr. Tirthankar Roy

...for the petitioner

Mr. Rajendra Banerjee,
Ms. Moumita Mondal

... for the Union of India

1. The petitioner claims that he successfully participated and completed all stages in the process of recruitment to the post of Constable (GD) in the CAPFs, 2022.
2. Despite securing 90% marks, the name of the petitioner does not feature in the final recruitment list.
3. Counsel for the Union submits that the petitioner is guilty of suppression of material facts and/or a misstatement thereof. It is submitted that the petitioner initially participated in the recruitment process as a reserved candidate in the ST category. He thus obtained relaxation of 5 cm as against the minimum height of 170 cm.
4. The petitioner, however, could not produce his ST Certificate at any point of time. He thereafter undertook before the respondents

on July 28, 2023 in writing that he would opt for the unreserved category. In the unreserved category, the petitioner is obviously not qualified in terms of height as he is admittedly 165 cm.

5. The question of any entitlement of the petitioner as an unreserved candidate in the facts and circumstances, does not and cannot arise.
6. In view of the above, the instant writ petition fails and is hereby dismissed.
7. There shall be no order as to costs.
8. Let the written instructions of the SSC produced in Court today be kept with the record.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)