

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.6249 OF 2023

Akshay Ramesh Rathod

... **PETITIONER**

VERSUS

1. The Union of India,
through It's Principal Secretary
Ministry of Home Affairs,
through Directorate General,
C.R.P.F. (Recruitment Branch)
East Block – 7, Level 4, Sector 01,
R.K. Puram, New Delhi – 110066
2. Staff Selection Commission,
Block No.12, C.G.O.-Complex,
Lodhi Road, New Delhi – 110003
3. Regional Director (Western Region),
Staff Selection Commission,
1st Floor, South Wing-Pratishtha Bhavan,
101, Maharshi Karve Road,
Mumbai (M.S.) - 400020.
4. C.I.S.F. Unit JNPT Seva,
through Appellate Authority,
Post: JNPT Township,
Navi Mumbai,
Tq. Uran, Dist. Raigad 400707

... **RESPONDENTS**

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Advocate for Petitioners : Mr. Patekar Narendra B.
Advocate for respondent Nos.1 to 4 : Mr. S.S. Deve

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, J.J.**

DATE : 20.07.2023

PER COURT :

Heard the learned advocate for the petitioner and the learned
advocate Mr. Deve who appears for all the respondents.

2. Petitioner's candidature for the post of constable/GD through

common recruitment of CAPFs for the year 2022 has been rejected on the ground that he is not qualified since in the measurement his height was found to be 169.5 cm when the minimum requirement was 170 cm.

3. After having heard both the sides it transpires that the petitioner had applied for the same post in the previous recruitment process of the year 2021. There is a record to show that during that process his height was found to be 170 cm and was held to be qualified though subsequently he could not get through.

4. There is apparent discrepancy in the measurement carried out for the same examination on the previous occasion and in the current process.

5. In view of such peculiar state of affairs, we dispose of the writ petition by directing the respondent No.4 appellate authority to undertake fresh measurement and if the petitioner is found to be having 170 cm of height, he shall take further steps to enable the petitioner to once again participate in the recruitment process. The decision shall be taken as expeditiously as possible and in any case within two weeks.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)