

04.12.2024

Court No.23

DL- 5

PP

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**WPA 26627 of 2024
Mr. Pronab Halder & Anr.
versus
Union of India & Ors.**

Mr. Sabyasachi Bhattacharjee,
Ms. Barnali Pal,
Ms. Suman Nandi

....For the petitioners.

Mr. Brajesh Jha

....for Union of India.

By an order dated 8th November, 2024, the petitioners were permitted to participate in the Physical Efficiency Test (in short, PET) in connection with the Central Armed Police Forces (CAPFs) Examination, 2024, the last date of which was scheduled on 8th November, 2024 after giving the petitioners the benefit of the shortfall in height in terms of Regulation 2(d) of the guidelines for Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles as revised in May 2015 (hereinafter referred to as “the 2015 guidelines”).

The petitioners say that immediately upon the order being passed, the petitioners attempted to participate in the PET, but could not do so as the same was concluded for the day before the petitioners could have reached the office of the Border Security Force,

Uttar Dinajpur, Sector HQ BSF Campus, being the respondent no.4 wherein the same was held. 8th November, 2024, being the last date of PET, the petitioners, therefor, could not participate in the same despite being permitted to do so by the order dated 8th November, 2024.

On behalf of the respondents, it is submitted that they were always ready and willing to comply with the order of this Court, but the petitioners did not appear prior to the conclusion of the PET held on 8th November, 2024.

Since there is already an order and to resolve the impasse, keeping in mind that the final selection list is likely to be published on or about 7th December, 2024, I direct the respondents to constitute a Board for PET by 12th December, 2024 and inform the petitioners about the date, time and venue of PET. Till PET and if the petitioners are successful in PET, the Detailed Medical Examination (in short, DME) and the Review Medical Examination (in short, RME), if necessary, of the petitioners are not held, the respondents and each one of them should not publish the selection and/or merit list recommending the names of the selected candidates for being given appointment. It is made clear that no further opportunity for PET will be given to the petitioners and if they fail to participate in the same, the respondents will be free to publish the selection list.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

All parties to act on the basis of a server copy of this order without insisting upon production of a certified copy thereof.

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

(Arindam Mukherjee, J.)