

04.12.2024

Court No.23

DL- 6

PP

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

WPA 26786 of 2024

**Chandani Shaw & Ors.
versus
Union of India & Ors.**

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

....For the petitioners.

Mr. Ram Chandra Agarwal,
Mr. Anish Kumar Mukherjee

....for Union of India.

By an order dated 8th November, 2024, out of the three petitioners, the petitioner no.3, namely Moumita Ghosh was permitted to appear in the Physical Efficiency Test (in short, PET) in respect of the Central Armed Police Forces (CAPFs) Examination, 2024 after giving relaxation to the petitioner no.3 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 petitioner no.3 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 petitioner no.3

could have reached the office of the Central Reserve Police Force Durgapur, Group Centre CRPF Durgapur, being the respondent no.4 wherein such test was conducted. 8th November, 2024, being the last date of PET, the petitioner no.3, 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 petitioner no.3 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 petitioner no.3 is successful in PET, the Detailed Medical Examination (in short, DME) and the Review Medical Examination (in short, RME), if necessary, of the petitioner no.3 is 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 petitioner no.3 and if she fails to participate

in the same, the respondents will be free to publish the selection list.

So far as the petitioner nos.2 and 3 are concerned, their respective height as measured under Physical Standard Test (in short, PST) was found below the relaxable limit and as such, they were not permitted to participate in the PET.

On behalf of the petitioner nos.1 and 2, it is submitted that they intend to pursue the writ petition as they have the grievances regarding non-scientific procedure adopted in measuring the height by PST Board.

Since this is a joint petition wherein petitioner no.3 has been permitted to participate in PST, this writ petition is disposed of by granting liberty to the petitioner nos.1 and 2 to ventilate their grievances on the self-same ground, if otherwise permissible in law.

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

Since I have not called for any affidavits, the allegations contained in the writ petition so far as the petitioner nos.1 and 2 are concerned, are deemed to have not been admitted by the respondents.

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.)