



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 5273 of 2024

Nikhil Ishwar Karde

vs.

Union of India, through its Principal Secretary, Ministry of Personnel, and others.

Mr.Amit Balpande, Advocate for petitioner.

Mr. V.A.Bramhe, Advocate along with Mr. N.S.Deshpande, DSGI, for respondent nos. 1 to 4.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 11th DECEMBER, 2024

P. C.

Heard.

2. The petitioner's candidature in the matter of recruitment on the post of CT (Technical/Tradesmen, Pioneer & Ministerial)-2023 came to be disqualified on the ground that the petitioner is having a tattoo design on the right forearm. Such decision was taken on 12.07.2024 (13.07.2024).

3. It is claimed that the said disqualification based on the aforesaid ground has prompted the petitioner to make representation to the Inspector General of Police, Western Sector Headquarter, CRPF, Navi Mumbai and the Dy. Inspector General of Police, Group Centre, CRPF, Nagpur.

4. The counsel for the petitioner so as to claim that tattoo will not act as an impediment for consideration of his candidature has urged that the issue is already decided in the catena of judgments, details of which are as under:

Sr. No.	Case No.	Name of Parties	Decided on
1.	W.P.No.10026 of 2017	Shridhar M. Pakhare vs. Union of India.	30.01.2018
2.	W.P.No.1991 of 2019	Hardik Rameshkumar Waghela Vs. Union of India.	21.02.2019

3.	W.P.No.1637 of 2024	Saurabh S. Junghare Vs. Union of India	16.07.2024
4.	W.P.(MD) No. 16282 of 2020	K.M.Manojkumar Vs. The Secretary, S.S.C. & others.	01.04.2021
5.	C.W.P. No.361 of 2021	Ramesh Kumar vs. Union of India.	24.11.2023

5. Mr. Bramhe, learned counsel appearing for the respondents would try to justify the decision based on the recruitment guidelines as, according to him, there is an express bar provided in the recruitment conditions.

6. In view of the judicial pronouncements referred above, we are not required to adjudicate the issue as the issue is squarely covered by the decisions referred to hereinabove.

7. That being so, the order impugned is hereby quashed and set aside. The writ petition stands allowed.

8. We direct the respondents to consider the candidature of the petitioner on its own merits and the same should not be disqualified for the reason based in the order impugned.

9. Let the decision be taken within a period of four weeks from the date of production of copy of this order.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.