

12.09.2025
Sl.18 to 38.
Suman
Ct.No.15

WPA 21766 of 2025

Anuj Bala
Vs.
Union of India and Ors.

With
WPA 20523 of 2025
Samiran Mondal
Vs.
Union of India and Ors.

With
WPA 20866 of 2025
Nasir Alam and Ors.
Vs.
Union of India and Ors.

With
WPA 20867 of 2025
Suraj Kumar Yadav
Vs.
Union of India and Ors.

With
WPA 20872 of 2025
Pranab Mondal
Vs.
Union of India and Ors.

With
WPA 20873 of 2025
Sankalpa Ghosh
Vs.
Union of India and Ors.

With
WPA 20973 of 2025
Rajababu Bharati
Vs.
Union of India and Ors.

With
WPA 21250 of 2025
Sanjoy Das
Vs.

Union of India and Ors.

**With
WPA 21286 of 2025
Subir Mondal and Anr.
Vs.
Union of India and Ors.**

**With
WPA 21287 of 2025
Soumik Bhattacharyya
Vs.
Union of India and Ors.**

**With
WPA 21288 of 2025
Md. Wasim Akam and Ors.
Vs.
Union of India and Ors.**

**With
WPA 21289 of 2025
Anishur Rahaman and Ors.
Vs.
Union of India and Ors.**

**With
WPA 21519 of 2025
Sudip Mondal
Vs.
Union of India and Ors.**

**With
WPA 21587 of 2025
Sazibur Sk.
Vs.
Union of India and Ors.**

**With
WPA 21667 of 2025
Ayan Roy
Vs.
Union of India and Ors.**

**WPA 21672 of 2025
Samrat Das
Vs.
Union of India and Ors.**

**With
WPA 21681 of 2025
Tanmoy Das
Vs.**

Union of India and Ors.

**With
WPA 21683 of 2025
Bikram Barman
Vs.
Union of India and Ors.**

**With
WPA 21687 of 2025
Bikram Mondal and Ors.
Vs.
Union of India and Ors.**

**With
WPA 21741 of 2025
Shubhrasish Das
Vs.
Union of India and Ors.**

**With
WPA 21757 of 2025
Bijan Biswas
Vs.
Union of India and Ors.**

Mr. Siddhartha Sankar Mandal

Ms. Sharmistha Dhar

Ms. Arunima Das Sharma

..for the petitioners in WPA 21766 of 2025,
WPA 21250 of 2025, WPA 21519 of 2025, WPA
21667 of 2025, WPA 21672 of 2025, WPA 21741 of
2025 & WPA 21757 of 2025

Mr. Muhammad Obaid

..for the petitioner in WPA 20523 of 2025

Ms. Juin Dutta Chakraborty

Mr. Debasish Kundu

Mr. Bidan Modak

Ms. Arpita Kundu

..for the petitioners in WPA 20866 of 2025,
WPA 20867 of 2025, WPA 20872 of 2025, WPA
20873 of 2025, WPA 20973 of 2025, WPA 21286
of 2025, WPA 21287 of 2025, WPA 21288 of 2025,
WPA 21289 of 2025, WPA 21681 of 2025, WPA
21683 of 2025 & WPA 21687 of 2025

Mr. S. Sk.

Ms. M. Biswas

Mr. Suman Moitra

Ms. Shilpi Moitra

Mr. M. Saha

..for the petitioners in WPA 21587 of 2025

Mr. Siddhartha Lahiri

Mr. Narendra Prasad Gupta

Mr. Debraj Dutta

..for respondents in WPA 20523 of 2025

Mr. Kaushik Dey

Mr. Partha Charkraborty

..for Union of India in WPA 20866 of 2025, WPA 20867 of 2025, WPA 20872 of 2025, WPA 20873 of 2025, WPA 20973 of 2025

Mr. Indrajeet Das Gupta

Mr. Tapan Bhanja

..for the respondents

Mr. Brajesh Jha

Mr. Shaunak Ghosh

..for Union of India in WPA 21250 of 2025

In view of the common facts and legal issues involved, all these writ petitions are taken up for hearing and disposed of by this common judgment and order.

The petitioners in these cases participated for the posts of Constable (GD) in the Central Armed Police Forces (CAPFs) and SSF, Rifleman (GD) in Assam Rifles,

and Sepoy in the Narcotics Control Bureau Examination – 2025.

It is an acknowledged fact that the recruitment process involves three stages. At the first stage, all candidates are required to undergo a Computer Based Examination (CBE).

It is admitted by the Union that all these candidates before this Court have qualified in the Computer Based Examination.

The next stage involves the Physical Standard Test (PST) and the Physical Efficiency Test (PET).

It is also an acknowledged position that all petitioners before this Court have qualified in the Physical Efficiency Test (PET). However, they were not permitted to proceed to the next Detailed Medical Examination (DME) stage, as they failed to qualify in the Physical Standard Test (PST) due to their height measurements being below the prescribed standard of 170 cm. It is further acknowledged that, in the Physical Standard Test (PST), the petitioners' heights were recorded between 169.5 cm and below 170 cm.

There is no dispute that Clause 12.5.11 of the relevant examination notification prescribes the minimum height of a 'General' candidate to be 170 cm.

The petitioners contend before this Court that they are entitled to the benefit of the “Revised Uniform Guidelines for Review Medical Examination in Central Armed Police Forces and Assam Rifles for GOs & NGOs issued by the Ministry of Home Affairs, Government of India, dated May 20, 2015.

Referring to Clause 2(d) of the said guidelines, it has been argued that the height of the petitioners should have been rounded off, and they should have been considered as candidates meeting the 170 cm height criterion, thereby qualifying them to proceed to the Detailed Medical Examination (DME).

Learned advocates representing the petitioners rely on the following judgments:

- (i) The Judgment dated July 24, 2024, passed by Punjab and Haryana High Court in LPA-1724-2019 (O&M) (*Union of India and others vs. Kuldeep*).
- (ii) The Judgment reported at 2024 SCC OnLine Mad 2234 (M.M. Karthikeyan vs. Tamil Nadu Public Service Commission)
- (iii) The Judgment dated February 17, 2025, passed by Madhya Pradesh High Court in Writ Petition No. 34269 of 2024 (*Arun Kalmodiya vs. Union of India and others*).

The prayer of the petitioners has been vehemently opposed by the Union. It has been strenuously argued before this Court by the Union that the benefit provided in Clause 2(d) of the Guidelines dated May 20, 2015, is to be conferred only at the stage of the Detailed Medical Examination (DME). The Union submits that there is no scope to apply the said relaxation at the time of the Physical Standard Test (PST). It is contended that a bare reading of the Notification dated May 20, 2015, makes it explicitly clear that the guidelines apply only to the medical examination. It was further submitted that only if a candidate is found to be overweight is the Medical Board empowered to confer the benefit under Clause 2(d) of the said guideline. Therefore, the petitioners were rightly denied progression to the Detailed Medical Examination (DME) by the respondents.

I have heard the learned advocates appearing for the parties. At first blush, the argument advanced by the Union appears to have some merit. However, upon closer scrutiny of the relevant guideline and recruitment rules, it appears that the argument lacks substance.

It is necessary to quote Clause 2(d) of the Guideline dated May 20, 2015:

“2...(d) Measurement of physical standards viz. height, weight and chest is the responsibility of the Physical Standard Test Board (PST Board) for all categories of candidates i.e. GOs, SOs, and Ors. Medical officers will not be part

of PST board both for Male & Female candidates. Since presence of a female is required at the time of recording of physical standard (PST), a female non medical staff may be associated with PST board. Recruiting medical officer need not record to physical measurements. Recruiting medical officer will mention physical standard in the medical examination form as recorded by the PST board. In borderline cases of overweight, BMI should also be considered to arrive at conclusion and variation of 5Kg +/- from the minimum/maximum limit may be accepted. Similarly while measuring height fraction of cm less than 0.5 will be ignored and 0.5 cm & more will be rounded off to the next higher cm. Standard height-weight chart is attached at ANNEXURE –I”.

A bare reading of Clause 2(d) makes it absolutely clear that at the stage of the Physical Standard Test (PST), the Medical Examination Board does not have any role. The presence of a medical officer during the physical measurement of a candidate is explicitly prohibited.

Clause 2(d) of the guideline explicitly states that the rounding off with respect to both height and weight applies at the physical standard stage only by PST Board.

The said rule states that while measuring height, any fraction of a centimeter less than 0.5 shall be ignored, and any fraction of 0.5 cm or more shall be rounded off to the next higher centimeter.

It is further noted from the said Clause that, in borderline cases of overweight, Body Mass Index (BMI) should be considered in arriving at a conclusion, and a variation of ± 5 kg from the prescribed minimum/maximum limits may be accepted. It must be understood that no standard BMI has been prescribed in the recruitment rules themselves using the well-known height-weight formula. BMI has been prescribed in Annexure-I of the said guideline, where height and proportionate weight are specified. Therefore, the BMI of a candidate must be assessed in light of Annexure-I of Clause 2(d).

If the Union's argument is accepted—that only the Medical Board can confer the benefit of relaxation under Clause 2(d)—then the benefit of Clause 2(d) with regard to height becomes illusory. This is because, for example, a candidate with a height of 169.05 or 169.06 cm would be excluded at the initial stage, and there would be no opportunity for the Medical Examination Board to grant height relaxation at the Detailed Medical Examination (DME) stage.

If the benefit of rounding off height is not accorded at this initial stage, namely the Physical Standard Test (PST), the candidate is precluded from qualifying to proceed to the subsequent stage of the Detailed Medical Examination (DME). Consequently, the relaxation

provided in the guideline becomes illusory, as only those candidates who have already met the strict 170 cm cut-off are eligible to appear for the Detailed Medical Examination. The Medical Board is therefore unable to apply the said relaxation, as the candidate is not presented before them.

A benefit conferred by the guideline must be interpreted in a manner that prevents it from being rendered nugatory. If the advantage of rounding off is not recognised at the initial measurement stage, it becomes ineffective at the subsequent stage.

A similar view has been taken by the judgment dated February 17, 2025, passed by Madhya Pradesh High Court in Writ Petition No. 34269 of 2024.

In light of the foregoing, all these writ petitions stand allowed.

The petitioners whose height has been recorded in the Physical Standard Test (PST) as 169.05 cm and above but below 170 cm are hereby declared eligible for the Detailed Medical Examination (DME).

The respondent authorities shall act in accordance with this judgment.

Accordingly, **WPA 21766 of 2025, WPA 21250 of 2025, WPA 21519 of 2025, WPA 21667 of 2025, WPA 21672 of 2025, WPA 21741 of 2025 WPA 21757**

of 2025, WPA 20523 of 2025, WPA 20866 of 2025, WPA 20867 of 2025, WPA 20872 of 2025, WPA 20873 of 2025, WPA 20973 of 2025, WPA 21286 of 2025, WPA 21287 of 2025, WPA 21288 of 2025, WPA 21289 of 2025, WPA 21681 of 2025, WPA 21683 of 2025, WPA 21687 of 2025 and WPA 21587 of 2025 are disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)

Later

After the judgment was delivered, the Union prayed for a stay of its operation. Such prayer has been duly considered and is hereby rejected.

(Kausik Chanda, J.)