

Form No. J.(2)
Item No. 26
AB

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 22418 of 2025

Subhankar Sarkar & Ors.

Vs.

Union of India & Ors.

For the petitioners : Mr. Debasish Kundu, Advocate
Ms. Doyel Dey, Advocate
Mr. Bidan Modak, Advocate
Ms. Arpita Kundu, Advocate

For Union of India : Mr. Indrajit Dasgupta, Advocate
Mr. Tapan Bhanja, Advocate

Heard on : September 25, 2025

Judgment on : September 25, 2025

Aniruddha Roy, J. :

1. Affidavit of service filed in Court today, is taken on record.
2. The instant writ petition has been filed by the petitioners seeking appointment for the post of **Constable (GD)** in the **Central Armed Police Force** under the **Selection Process of 2025**.
3. Referring to **Annexure P-4** collectively at **pages – 40 to 46** to the writ petition, learned counsel for the petitioners submit that at the **Physical Standard Test (PST)** level, the height of the petitioners have been measured as **169.5 cms** and more but less than **170 cms**. Referring to **Clause 12.5** of the notice of the recruitment process, **Annexure P-6** at **page - 62** to the writ

petition and more specifically at **page - 63** to the writ petition, learned counsel for the petitioners submits that the cut off qualifying height is fixed by the selection authority for male candidates **170 cms.**

4. Learned counsel appearing for the petitioners draw attention of this Court to **Clasuse-2(d)** of the **Medical Guidelines for Recruitment** revised as on **May 20, 2015**. The relevant provision from the said **Clause 2(d)** is quoted below:-

 *****Similarly while measuring height
 Fraction of cm less than 0.5 will be ignored and 0.5
 cm & more will rounded off to the next height cm
 Standard height weight chart is attached at
 annexure-1.”

5. Learned counsel further submits referring to the said **Clause 2(d)** from the said Medical Guideline that the said clause relates to measurement of Physical Standards.

6. In the light of the above, on behalf of the petitioners, it is submitted that since the height of the petitioners have been found to be **169.5 cms** and more but less than **170 cms.** at **pages 40 to 46** to the writ petition, following the provisions laid down under the said **Clause 2(d)** of the said Medical Guidelines, the same should be rounded off to **170 cms.**

7. In the event such rounded off measurement is taken in account, the petitioners automatically come within the consideration zone for the next stage of the selection process.

8. In support, learned counsel for the petitioners has relied upon a decision of the Co-ordinate Bench dated **September 12, 2025**, *inter alia*, ***In the matter of: Anuj Bala –vs- Union of India & Ors. rendered in WPA 21766 of 2025.***

9. Accordingly, the petitioners pray that the writ petition should be allowed.

10. Mr. Tapan Bhanja, learned counsel appearing for the Union of India/respondents submits that this rounding off **0.5 cm** was not permitted by a Co-ordinate Bench dated **November 29, 2024**. In support, he has referred a decision of a Co-ordinate Bench, ***In the matter of: Harun Miah – vs- Union of India & Ors. rendered in WPA 25903 of 2024.***

11. After considering the rival contentions of the parties and upon perusal of the materials on record from a plain and harmonious reading of **Clause 2(d)** of the Medical Guideline, as quoted above, this Court is of the considered view that, while measuring the height fraction of centimeter less than 0.5 will be ignored and 0.5 cm and more will be rounded off to the next higher centimeter standard height-weight chart. In the instant case, admittedly height of the petitioner at the PST level was measured as **169.5 cms.** and more but less than **170 cms.** Therefore, applying the provision of Clause 2(d) of the Medical Guideline, the same should be rounded off to the next higher centimeter standard height, which is **170 cms** being the qualification prescribed under the Selection Rule.

12. The parties have also confirmed that no appeal has been preferred from the said decision of the Co-ordinate Bench, ***In the matter of: Anuj Bala (supra).***

13. ***In the matter of: Harun Miah (supra)*** at the PST level the writ petitioner was measured as **169.4 cms**, and as such his height was found to be at a fraction where **Clause 2(d)** of the Medical Guideline, would not apply. Hence, the ratio ***In the matter of: Harun Miah (supra)*** would not apply in the facts of the instant case.

14. In view of the foregoing reasons and discussions, the height of the petitioners, in the instant case, should be taken and accepted as **170 cms** by the authority concerned.

15. Accordingly, the petitioners shall be allowed to be considered within the consideration zone for the next step of the selection process strictly in accordance with law.

16. It is also made clear that this order is restricted only for the purpose of measurement of height of the petitioners at the PST level and the same shall not create any right or equity in favour of the petitioners for the next and further stages of the selection process and the petitioners shall be assessed at every stage of the selection process on their own merit in accordance with law.

17. With the above observations and directions, this writ petition, **WPA 22418 of 2025** stands **allowed**.

18. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)