

WPA 23616 of 2025

Samir Khan
Vs.
Union of India & Ors.

Mr. Debasish Kundu
...for the Petitioner

Mr. Ajit Kumar Choubey
Ms. Madhu Jana Choubey
...for the respondent

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner participated in the selection process for being appointed as Constable (GD) in Central Armed Police Forces (CAPFs). On physical measurement height of the petitioner was assessed initially 169.5 cm.
3. However, petitioner preferred an appeal and the appellate authority on assessment of height measured the height of the petitioner 169.1 cm. not 169.5 cm.
4. It is well settled that after preferring an appeal at the instance of the appellant if any order is passed, which is not in tune with the order passed by the first authority, the order of the appellate authority remains.
5. In present case, though initially height of the petitioner was assessed as 169.5 cm., but

subsequently in appeal, it was assessed as 169.1 cm.

6. As per norms, a candidate for becoming eligible to be appointed in the post of Constable (GD), required height is 170 cm.
7. In the present case since height of the petitioner was assessed 169.1 cm., same cannot be rounded off to next higher digit.
8. Hence, no relief can be granted to the petitioner.
9. Writ petition stands dismissed.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)