

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

A-47 05.8.2025
Sc Ct. no.2

WPA 27053 OF 2024

Samiul Mallik & Ors.

Vs.

Union of India & Ors.

Mr. Debasish Kundu

....For the Petitioners

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Debasish Kundu, learned Advocate appears for the petitioners. On his prayer the exception on affidavit to the report filed in Court today, is taken on record.

None appears for the respondents though the report on affidavit is on record.

The issue in this writ petition is already covered by the decision of the Hon'ble Division Bench dated **June 19, 2025** passed in **FMA 886 of 2025**, following which this Court has also passed its order dated **July 3, 2025** in **WPA 27751 of 2024**.

The petitioners are the aspirants for the post of **Constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination, 2024**.

When the petitioners appeared for the **Physical Standard Test** they found to be **little lesser** with regard

to the **measurement of their chest** than what has mentioned in the terms and conditions of the selection process, as such, their candidatures were **rejected**. Subsequently, the petitioners applied before the appropriate appellate authority though the **appeals** were delayed by about ten days, the same are **still pending**.

The issue has now been decided and settled by the Hon'ble Division Bench in the following decisions:

- i) In the matter of : Prosenjit Modak Vs. Union of India & Ors. rendered in FMA 886 of 2025 and**
- ii) In the matter of: Koushik Barman Vs. Union of India & Ors. rendered in MAT 322 of 2025.**

In view of the above, the petitioners shall serve copies of the appeals in physical form before the respondent no. 6 which have already been sent over e-mail along with a copy of today's order.

The jurisdictional appellate authority/competent authority is directed to consider the appeals and pass a reasoned order on merit and in accordance with law within a period of **two months** from the date of communication of this order.

It is made clear that, this Court has not gone into the merits of the matter and the appellate authority shall be free to proceed independently on the basis of the appeals filed before it and in accordance with law.

It is made clear that, this order shall not be treated as precedence.

With the above observations and directions this writ petition **WPA 27053 of 2024** stands ***disposed of***, without any order as to costs

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Aniruddha Roy, J.)