

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA

**Constitutional Writ Jurisdiction
(Appellate Side)**

W.P.A. 26215 OF 2025

DEBASHIS GHOSH

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27972 OF 2025

ANANTA KUMAR DAS

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27977 OF 2025

GOPAL SIKDAR

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27985 OF 2025

SUJAY SAHA

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27986 OF 2025

SAMU BISWAS

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27987 OF 2025

SHYAMAL MONDAL

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 27989 OF 2025

BAPPAI GHOSH

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 26297 OF 2025

SAWAGATA HAZARA

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 26302 OF 2025

RUBEL ISLAM

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 26306 OF 2025

JAGANNATH GHOSH

VS.

**UNION OF INDIA & OTHERS
With**

W.P.A. 26691 OF 2025

ERAN SK
VS.
UNION OF INDIA & OTHERS
With
W.P.A. 26694 OF 2025

DEBDAS KHAN
VS.
UNION OF INDIA & OTHERS
With
W.P.A. 26708 OF 2025

SASHI PRAKASH PAL
VS.
UNION OF INDIA & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioners : Mr. Siddhartha Sankar Mandal
Mr. Debasish Kundu
Mr. Shamit Sanyal
Ms. Sharmistha Dhar
Ms. Sanchayita De

For the UOI : Mr. Siddhartha Lahiri
Ms. Chandreyi Alam
Mr. Ram Chandra Agarwal
Mr. Tapan Bhanja
Mr. Subhajit Das

Hearing concluded on : 18.12.2025

Judgment on : 18.12.2025

SAUGATA BHATTACHARYYA, J.:

1. Supplementary Affidavit and affidavit of service filed on behalf of the petitioner in WPA 26215 of 2025 is taken on record.
2. Matters are finally heard. Common question arises for consideration in all the matters is whether candidates during course of selection process for the post of Constable (GD) in Central Armed Police Forces (CAPFs) can get benefit of relaxation as contemplated under clause 2(d) of the Guidelines For Recruitment Medical Examination in Central Armed Police Forces and Assam Rifles which was revised in May, 2015 (hereinafter referred to as “said revised Guidelines of May, 2015”). In all the matters height of the petitioners is in between 169.5 cm to 169.9 cm and they were not treated as eligible candidate to participate in next round of selection process i.e. medical examination as height of the candidates measured was below 170 cm being the prescribed height. Most of the candidates preferred appeal before the concerned authority but height of the candidates was found in between 169.5 cm to 169.9 cm prompting the candidates to approach this Court with these writ petitions.
3. It is contended that in terms of clause 2(d) of said revised Guidelines of May, 2015 petitioners are entitled to get benefit of relaxation to the extent of 0.5 cm which will make them eligible to participate in next round of selection process. In support of such contention, reliance is

placed on the judgment of the Division Bench of Punjab and Haryana High Court dated 24th July, 2024 delivered in **LPA-1724-2019(O&M) (Union of India and others Vs. Kuldeep)** and judgment of the Division Bench of Bombay High Court dated 1st October, 2025 delivered in two writ petitions first one is **Writ Petition No. 12664 of 2025 (Sushant Bhausaheb Sarode Vs. Union of India & Ors.)**.

4. On the contrary, Mr. Siddhartha Lahiri, learned advocate representing Union of India has opposed these writ petitions based on said revised Guidelines of May, 2015 and it is specifically contended that relaxation of height as well as weight as contemplated under clause 2(d) may be extended in favour of the candidates at the time of Detailed Medical Examination (for short, “DME”) and such relaxation is not meant for providing benefit while measuring height of the candidates during Physical Standard Test (for short, “PST”). It is submitted that for general category candidates prescribed height is 170 cm and for exempted category candidates different heights are prescribed and such requisite height may not be relaxed at the time of PST since that is not provided under clause 2(d).
5. According to respondents, in the event a candidate is found over-weight during DME relaxation of weight and height is permissible in order to bring weight of the candidate within the prescribed range as delineated in the chart appended to said revised Guidelines of May, 2015 i.e. ‘Male and Female Average Body Weights in Kilograms For Different Age Groups And Heights’. Similarly it is also contended that in case of

under-weight candidate same benefit can be extended at the time of DME while measuring BMI by increasing the weight of the candidate applying the provision of relaxation as contemplated under clause 2(d) in order to adjust the weight of such candidate within the prescribed limit. It is contended that height and length of chest cannot be changed but weight of a candidate can be adjusted. Learned advocate representing respondents has submitted that benefit of relaxation under clause 2(d) needs to be applied at the time of DME to adjust the weight of over-weight and under-weight candidates in order to declare them qualified provided by granting such relaxation weight can be adjusted within the prescribed range. In support of such contention, reliance is placed on a judgment of Madhya Pradesh High Court dated 20th November, 2025 delivered in **Writ Appeal No. 2932 of 2025 (Union of India and Others Vs. Arun Kalmodiya)**.

6. In order to consider the issues raised on behalf of the parties, Court is required to first consider clause 2(d) of said revised Guidelines of May, 2015. For better understanding, Court finds it apt to quote clause 2(d) hereinbelow :-

“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 5 kg +/- 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.”

(Emphasis supplied)

7. Clause 2(d) comes under General Instructions for Recruitment Board which is described under clause 2 and first part of clause 2(d) provides mode of measuring physical standards i.e. height, weight and chest by the Physical Standard Test Board for all category of candidates. In clause 2(d) medical officers are also advised to follow the prescribed procedure while conducting DME. Therefore on plain reading of clause 2(d) it is found that the provisions contained therein are applicable in case of PST as well as DME. It is required to be taken into consideration that provisions contained in clause 2 specifically in clause 2(d) squarely applies to PST and DME. Though it is argued on behalf of respondents that said revised Guidelines of May, 2015 is for medical examination for recruitment in CAPFs but the contents of said

revised Guidelines of May, 2015 postulate procedure of medical examination and niceties thereof from clause 9 onwards whereas clause 2 provides General Instructions for Recruitment Board.

8. It is provided under clause 2(d) that in borderline cases of over-weight BMI can be considered to arrive at conclusion and adjustment of weight to the extent of 5 kg plus/minus from the minimum/maximum limit is accepted. There is no doubt that measurement of BMI and adjustment of weight as contemplated under clause 2(d) is relatable to DME but other part of clause 2(d) ought not to be ignored which says, “*similarly while measuring height fraction of cm less than 0.5 will be ignored and 0.5 cm and more will be rounded off to the next higher cm.*” Such stipulation as contained in clause 2(d) squarely postulates while measuring height fraction i.e. less than 0.5 cm needs to be rounded off to next higher cm. For example, if height of a candidate is measured 169.5 cm but less than 170 cm at the time of PST same needs to be rounded off to next higher cm i.e. 170 cm.
9. It is argued on behalf of respondents that during DME if weight of a candidate does not come within the range as prescribed in the table considering BMI weight of the candidate can be brought down or increased in order to bring the weight of the candidate within the prescribed range. If this Court accepts such contention made on behalf of the respondents in that event applying height relaxation provision of clause 2(d) in case of over-weight candidate height can be enhanced upto 0.5 cm in order to bring down weight of said candidate but reverse

situation is also required to be considered on the anvil of relevant provision as contained in clause 2(d).

10. In case of under-weight candidate by extending weight relaxation if weight of the candidate cannot be enhanced to the range prescribed height of the candidate can also be brought down to adjust the weight of such candidate which is impermissible in terms of clause 2(d) as it is specifically provided under clause 2(d) that while measuring height fraction of cm less than 0.5 will be ignored and 0.5 cm or more will be rounded off to next higher cm.
11. Benefit of height relaxation applies only when height of a candidate is measured in fraction of cm, less than 0.5 cm (169.5 cm to 169.9 cm) which is not relatable to measurement of weight of candidate. If Court accepts submissions of respondents that relaxation of height as contemplated in clause 2(d) is relatable to measurement of weight and BMI in that event height of candidate has to be measured in fraction of cm not in digits without fraction to be eligible to get relaxation of weight which is preposterous.
12. In view of aforesaid discussion, it is found that provision relating to height relaxation in terms of clause 2(d) is applicable at the time of PST in the event height of the candidate is less than prescribed height to the extent of 0.5 cm.
13. On behalf of respondents reliance is placed on the judgment of **Arun Kalmodiya** (supra) where as on behalf of the petitioners reliance is

placed on the judgments of **Kuldeep** (supra) and **Sushant Bhausaheb Sarode** (supra).

14. It is submitted on behalf of respondents that ratio of **Sushant Bhausaheb Sarode** (supra) rests on judgment of the learned Single Judge of Madhya Pradesh High Court passed in **Arun Kalmodiya Vs. Union of India** and subsequently judgment of the coordinate Bench in **Arun Kalmodiya** (supra) was negated by the Division Bench of Madhya Pradesh High Court.
15. However issue is considered in the present case in the context of clause 2(d) as contained in said revised Guidelines of May, 2015 to the extent whether reduction of height for adjusting weight of under-weight candidate is permissible or not, is not discussed in the judgment dated 20th November, 2025 in **Arun Kalmodiya** (supra). When height of a candidate is not measured in fraction of cm but in digits whether such candidate deserves relaxation of weight is another additional issue. With all humility at my command it is observed herein that permissibility to reduce height in terms of clause 2(d) in order to adjust weight of under-weight candidate is not delved into in aforesaid judgment. Therefore, judgment of the Division Bench in **Arun Kalmodiya** (supra) is not applicable considering the issue examined in the present case.
16. In aforesaid conspectus, considering the relaxation provision relating to height as contained in clause 2(d) of said revised Guidelines of May,

2015 concerned respondent authorities are directed to grant benefit of height relaxation to the petitioners to the extent of 0.5 cm at the time of PST. Therefore, if height of a candidate is measured in between 169.5 cm to 169.9 cm same shall be rounded off to next higher cm i.e. 170 cm.

17. With the aforesaid observations and directions, all writ petitions stand disposed of.
18. There shall be, however, no order as to costs.
19. Urgent photostat certified copy of the judgment, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)