

Court No. 2

03.7.2025

(Item No. 1)

(AB)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 27751 of 2024

Pritam Adhikary & Anr.

VS

Union of India & Ors.

Mr. Debasish Kundu

.... For the petitioners

Mr. Debasish Kundu, learned advocate appears for the petitioners.

None appears for the respondents, though the report in the form of affidavit is on record.

The petitioners are the aspirants for the post of Constable (GD) in Central Armed Police Forces, SSF and Rifleman (GD) in Assam Rifles Examination, 2024. When the petitioners appeared before the Physical Standard Test they found to be of little lesser height and chest measurement was also found to be little less than what is mentioned in the terms and conditions of the selection process, as such their candidature was rejected on **October 21, 2024** and **October 24, 2024 at pages 29** and **30** to the writ petition.

On **November 10, 2024** and **November 11, 2024** at **pages 31** and **35** to the writ petition the petitioners applied before the

appellate authority though the appeal was delayed by about 7 to 8 days and as such the appeal has been kept 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 a copy of the appeal in physical form before the respondent no. 6 which has already been sent over e-mail along with copy of today's order.

The jurisdictional appellate authority/competent authority is directed to consider the appeal 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 appeal 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 **W.P.A. 27751 of 2024** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)