

Court No. 2
(265704)

19.12.2025
(AD 30)
(S. Banerjee)

WPA 28558 of 2025

Raj Narayan Singh
Vs.
Union of India & Ors.

Mr. Sayan Mukherjee
Mr. Diptendu Narayan Banerjee
Ms. Pinki Sarkar

...for the petitioner

Mr. R. N. Bag, Sr. Advocate
Ms. Piyas Choudhury
Md. Sk. Wasim Akram

...for the respondents

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

Petitioner participated for being appointed as
Constable (GD) under Central Armed Police Forces
(CAPFs).

It is submitted by the learned advocate
representing the petitioner that petitioner needs to be
considered as a candidate under ex-serviceman
category as the petitioner worked as Habilder in
Assam Rifles. It is contended that candidature of the
petitioner was cancelled by the concerned respondent
authority as petitioner was not found to be a
candidate who belongs to ex-serviceman category. In
this regard notice of this Court is drawn to a

document at page 22 of the writ petition dated November 13, 2025 wherefrom it appears that the concerned respondent authority cancelled the candidature of the petitioner as petitioner was not found to be a candidate who belongs to ex-serviceman category.

Learned advocate representing the Union of India has opposed this writ petition and submissions are made in order to substantiate the reasons assigned for cancelling candidature of the petitioner.

Question is whether petitioner is to be treated a candidate who belongs to ex-serviceman category or not.

Answer is found from Clause 5.6.1 of the notice which was published on the website of the Commission on September 5, 2024. Definition of “ex-serviceman” is provided under Clause 5.6.1 which is quoted below:

“5.6.1. Who has served in any rank whether as a combatant or non-combatant in the Regular Army, Navy or Air Force of the Indian Union, and

a. who either has been retired or relieved or discharged from such service whether at his own request or

being relieved by the employer after earning his or her pension; or

b. who has been relieved from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or

c. who has been released from such service as a result of a reduction in establishment. ”

On perusal of definition under clause 5.6.1 it transpires that a candidate who served in any rank whether as a combatant or non-combatant in the Regular Army, Navy or Air Force of the Indian Union after retirement, is entitled to be treated as ex-serviceman.

In the present case petitioner served as Habilder in Assam Rifles. Service rendered by the petitioner as Habilder in Assam Rifles is not considered as service in Regular Army, Navy or Air Force of the Indian Union.

Therefore, there is no anomaly in the decision of the concerned respondent authority whereby petitioner was not treated as ‘ex-serviceman’ as a result whereof candidature of the petitioner was cancelled.

Hence, writ petition stands dismissed. However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Saugata Bhattacharyya, J.)