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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(905) CONTEMPT PETITION NO. 704 OF 2025

Sahil Sanjay Patil ...Petitioner
Versus
Union of India & Ors. ...Respondents

AND
(906) CONTEMPT PETITION NO. 705 OF 2025

Aniket Sunil Jadhav ...Petitioner
Versus
Union of India & Ors. ...Respondents

AND
(907) CONTEMPT PETITION NO. 706 OF 2025

Sushant Bhausahab Sarode ...Petitioner
Versus
Union of India & Ors. ...Respondents

Mr. Venkatesh Shastry, Advocate for the Petitioners.

Mr. Rui Rodrigues a/w Ms. Priyanka Chavan, Advocate for
Respondent No.1/UOI.

Mr. Shehabudeen K.A., Assistant Commandant (Legal), Present.

CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 7th NOVEMBER, 2025

P.C. :-

1. Leave to add the names of the Officers, who are impleaded by designation as Respondent Nos.3 and 4. Addition be carried out during the course of the day.

2. In these matters, this Court had delivered Judgments on 1st October, 2025 and 10th October, 2025. Placing reliance upon earlier orders/Judgments delivered by other High Courts in India and by considering the applicable rules, this Court concluded in Writ Petition Nos.12664 and 12671 of 2025, as under :-

“18. Clause 2(d) of the Said Guidelines, which provides for rounding off of the height to the next higher centimeter would be applicable at the stage of Physical Standard Test. The benefits conferred by the Said Guidelines was required to be extended to the Petitioners at the Physical Standard Test stage. Disqualifying the Petitioners at the stage of Physical Standard Test on account of their height being 164.7 cms and 164.6 cms, respectively, is illegal and arbitrary. We are of the considered opinion that the Petitioners are entitled to the benefit of height relaxation in terms of Clause 2(d) of the Said Guidelines by rounding off the fraction of the height to the next higher centimeter.

19. In view of the above, both the Writ Petitions are allowed in terms of prayer clause (a). Petitioners are hereby given benefit of the relaxation in terms of Clause 2(d) of the Said Guidelines, consequently Respondents are directed to consider the height of the

Petitioner in WP No.12664 of 2025 which is 164.7 cms to be 165 cms and the height of the Petitioner in WP No.12671 of 2025 which is 164.6 cms to be 165 cms, thereby declaring both the Petition eligible for the Detailed Medical Examination.”

3. This Court also concluded in Writ Petition No.13359 of 2025, in Paragraph Nos.18 and 19, as under :-

“18. Clause 2(d) of the Said Guidelines, which provides for rounding off of the height to the next higher centimeter would be applicable at the stage of Physical Standard Test. The benefits conferred by the Said Guidelines was required to be extended to the Petitioner at the Physical Standard Test stage. Disqualifying the Petitioner at the stage of Physical Standard Test on account of his height being 169.6 cm, is illegal and arbitrary. We are of the considered opinion that the Petitioner is entitled to the benefit of height relaxation in terms of Clause 2(d) of the Said Guidelines by rounding off the fraction of the height to the next higher centimeter.

19. In view of the above, this Petition is allowed in terms of prayer clause (a). The Petitioner is hereby given benefit of the relaxation in terms of Clause 2(d) of the Said Guidelines, consequently Respondents are directed to consider the height of the Petitioner which is 169.6 cm, thereby declaring the Petitioner eligible for the Detailed Medical Examination.”

4. The learned Advocates, Mr. Rodrigues and Ms. Chavan have informed us that the Union of India is preparing to file a Special Leave Petition for challenging the Judgments of this Court.

The learned Advocate for the Petitioners points out that in identical set of facts, the Union of India preferred Special Leave Petition (Civil) Dairy No(s). 4228 of 2025 (*Union of India & Ors. V/s. Tushar Singha & Ors*). The Hon'ble Supreme Court delivered an order on 17th April, 2025 and refused to interfere with the Judgment of the High Court. By keeping the question of law open to be considered in an appropriate case, the Special Leave Petition was dismissed.

5. Considering the above, we had merely concluded that the Petitioners, who were short by 0.3 cms and 0.4 cms in these three cases, are eligible by rounding off their heights to 165 cms which was the minimum height required in these cases. We had directed the Authorities that the Petitioners shall be considered eligible for the detailed medical examination. However, as the Authorities did not include the names of these Petitioners while publishing the list eligible candidates for undergoing the detailed medical examination, that these present Contempt Petitions have been filed.

6. At this stage, we are considering the following three things :-

a) The Petitioners have been held eligible for participating in the detailed medical examination by rounding of the deficiency in height by 0.3 cms and 0.4 cms, keeping in view the rules applicable and the judicial pronouncements cited.

b) In identical set of facts, in *Tushar Singha & Ors. (Supra)*, the Union of India had challenged the Judgment of the High Court of Calcutta and the Special Leave Petition has been dismissed.

c) Mr. Rodrigues makes a statement on written instructions from the Union of India that three seats would be kept reserved for these three Petitioners. The Officer, Mr. Shehabudeen is present in the Court hall. However, we find that this would be unfruitful exercise for the simple reason that the selection process in which the Petitioners desire to participate, would make them eligible as per their merit performance for appointment in almost eight different services like BSF, CISF, CRPF, ITBF, SSB, SSF, AR, NCB,

etc.. If the Union of India is to keep three seats vacant, it is a matter of speculation as to which service would the Petitioners opt for appointment, subject to their merit performance. In such a situation, the Union of India will have to keep three seats vacant in practically every service for which the selection process is going on.

7. We called upon the learned Advocates for the Union of India to state, as to whether these three Petitioners, who have been declared eligible to the extent of their height restrictions, could be included in the list of eligible candidates, only for considering them for the detailed medical examination. We have received an answer in the negative. It is in these circumstances, that we find that Respondent Nos.3 and 4 have, *prima facie*, disobeyed the order of this Court.

8. In such peculiar circumstances, that we are dealing with Contempt Petitions which cannot be entertained as if like Execution Petitions. Hence, we are compelled to **issue notice** in the format prescribed under the Contempt of Courts Act, 1971 to Respondent No.3 (Gyanendra Pratap Singh, IPS, Director General, CRPF) and

Respondent No.4 (Manoj Kumar Yadav, Deputy Commandant, CRPF, IRLA No.77336), returnable on **17th December, 2025**. These Authorities are at liberty to enter their affidavits in reply.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)