



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 975 OF 2025

WITH

WRIT PETITION NO. 976 OF 2025

WITH

WRIT PETITION NO. 977 OF 2025

PETITIONER :

Samir Sudhakar Jivtode,
Aged 24 Occ : Student,
Abadi Ward Chimur Tah Chimur,
Dist. Chandrapur Maharashtra.

V E R S U S

RESPONDENTS :

1. Union of India,
Ministry of Home Affairs,
Through its Secretary,
North Block, New Delhi – 110001.
2. Union of India,
Through it's Secretary,
Ministry of Personnel,
Public Grievances & Pensions,
North block,
New Delhi – 110001.
3. Chairman,
Staff Selection Commission,
Block no.12, CGO Complex, Lodhi road,
New Delhi – 110003.
4. Border Security Force,
Through it's Director General
CGO complex, Lodhi Road,
New Delhi – 3.

WITH

WRIT PETITION NO. 976 OF 2025

PETITIONER :

Rohan Manoj Khobragade
Aged 28 Occ : Student,
Samrat Ashok Chowk,
Kumbharenagar, Gondia.

VERSUS**RESPONDENTS :**

1. Union of India,
Ministry of Home Affairs,
Through its Secretary,
North Block, New Delhi – 110001.
2. Union of India,
Through it's Secretary,
Ministry of Personnel,
Public Grievances & Pensions,
North block,
New Delhi – 110001.
3. Chairman,
Staff Selection Commission,
Block no.12, CGO Complex, Lodhi road,
New Delhi – 110003.
4. Indo – Tibetan Border Police,
Through it's Director General
Block – 02, CGO Complex, Lodhi Road,
New Delhi – 110003.

WITH**WRIT PETITION NO. 977 OF 2025****PETITIONER :**

Abhay Namdeo Bhure
Aged 22 Occ : Student,
Plot no.615, what no.1, near Hanuman
Mandir, Beena Sangam Tahsil, Kamptee
District Nagpur.

VERSUS**RESPONDENTS :**

1. Union of India,
Ministry of Home Affairs,
Through its Secretary,
North Block, New Delhi – 110001.
2. Union of India,
Through it's Secretary,
Ministry of Personnel,
Public Grievances & Pensions,
North block,
New Delhi – 110001.

3. Chairman,
Staff Selection Commission,
Block no.12, CGO Complex, Lodhi road,
New Delhi – 110003.
4. Sashastra Seema Bal,
Through it's Director General
Block – V (East), R.K. Puram,
New Delhi – 66.

Shri A. R. Fule, Advocate for petitioners.

Shri N. S. Deshpande, DSGI a/b Shri S. A. Chaudhari, Advocate for
respondent Nos.1, 2 and 4.

CORAM:- NITIN W. SAMBRE AND
SACHIN S. DESHMUKH, JJ.
DATED : 30/06/2025.

JUDGMENT : (PER SACHIN S. DESHMUKH, J.) :

1. **Rule.** Rule made returnable forthwith. Heard finally
with the consent of learned counsel appearing for the parties.

2. Writ Petition Nos.976/2025 and 977/2025, not on
Board, taken on Board on the request of learned counsel for the
petitioners. Heard finally with the consent of respective sides,
since the issue involved in all three petitions is identical. As it
pertains for consideration of the candidature of the petitioners for
the recruitment of Constable (GD) in Central Armed Police Forces
(CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination,
2024.

3. In response to the advertisement dated 24/11/2023 issued by the respondents herein, for the aforestated posts, the petitioners presented an application accompanied with the required qualification possessed by the petitioners herein, petitioners were permitted to appear for the written examination conducted by the respondents herein, considering the qualification possessed by the petitioners.

4. Having successfully cleared the written examination, the petitioners were called for the Physical Examination, eventually, document verification was also conducted during the said process. However, during verification process, the Biometric details of the petitioners were found to be not matching to those recorded earlier. Although, the mismatch of Biometric was noted by the respondents, still the petitioners were permitted to appear for the medical examination, which was conducted by the respondents, during the recruitment process. Even on successive occasion, Biometric Test was conducted, again the mismatch was noted. Resultantly, the petitioners were declared unfit and as such were directed to undergo the medical re-examination.

5. Subsequently, the petitioners underwent the medical re-examination, which was conducted by the respondents, the petitioners were declared fit and eligible for the selection. Consequently, verification of the documents and the medical examination process was completed. According to the petitioners, though the necessary requirement of physical examination and document verification was successfully cleared by the petitioners, however, in the final result of the recruitment process, which was published on 14/12/2024, the names of petitioners were not included in the said result for the solitary reason of Biometric mismatch.

6. In the aforesaid backdrop, the petitioners have prayed that the result which is withheld by the respondents for recruitment of Constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination, 2024 be declared. The further concern of the petitioners is that as recruitment process has commenced on 24/11/2023 and the same is eventually concluded in the wake of declaration of result on 14/12/2024, the petitioners are running against the time. As such, the respondents are not justified in withholding the result of the petitioners in spite of the fact that the petitioners are found to be

qualified, and have further cleared the written examination. As such, they were also called for the physical and document verification. The obvious mistake is not attributable to the petitioners in relation to the Biometric mismatch. The approach adopted by respondents while not declaring the result, is seriously prejudicial to the interest of the petitioners, to which the petitioners are legitimately entitled for. Therefore, the petitioners prayed for declaration of the result.

7. In response to the Court's notice, Shri Chaudhari, learned counsel appearing for respondent Nos.1, 2 and 4 submitted that the result in relation to Biometric mismatch is still awaited. As such, the result cannot be declared and therefore, attempted to justify the withholding of the result of the petitioners herein.

8. Having considered the rival submissions, it appears that it is a matter of record that the petitioners' candidature was considered by the respondents, thereafter, the written examination conducted is also successfully cleared by the petitioners herein. Resultantly, the physical and document verification was carried out. However, but for Biometric mismatch which is conducted by

the respondents themselves, which is according to us is not attributable to the petitioners herein, the petitioners have been otherwise declared successful. Therefore, in our considered view, the respondents are not justified in withholding the results since the recruitment process has commenced in the month of November 2023 and after lapse of substantial period, the respondents are not justified in withholding the results of the petitioners, to which petitioners are legitimately entitled for, in the wake of petitioners' successfully clearing the written examination so also further act of medical re-examination conducted by the respondents. Therefore, we direct the respondents to declare the result of the petitioners within a period of four weeks from today.

9. Needless to state that the candidature of the petitioners deserves to be considered on their respective merit and if the petitioners are otherwise qualified.

10. The writ petitions are allowed. Rule is made absolute in the above terms with no order as to costs.

[SACHIN S. DESHMUKH, J.]

[NITIN W. SAMBRE, J.]