

S/L 10
01.07.2026
Court No.04
B.K.N

**M.A.T. 113 of 2026
With
CAN 1 of 2026
CAN 2 of 2026**

**The Directorate General (CRPF)
(Recruitment Branch) & Ors.
Vs.
Achinta Sarkar & Ors.**

*Mr. Bijendra Pratap Singh,
Mr. Samrat Ghosh*

...for the Appellants.

Mr. Mahadeb Sarkar

...for the Respondent/Writ Petitioner.

In Re: CAN 1 of 2026

1. An application filed seeking condonation of delay, stated to be 88 days in preferring the appeal.
2. The office, however, has reported a delay of 82 days only.
3. The application is allowed for the reasons stated therein and without any serious objection.

In Re: M.A.T. 113 of 2026

4. According to the learned advocate for the Union of India/Appellants, the Hon'ble Apex Court in the case of ***Union of India & Ors. –Vs.- Atul Kumar Verma & Ors.*** in ***Civil Appeal No(s) 4423-4426/2026 SLP (C) Nos. 13390-13393/2026*** and ***Diary No. 68753/2025*** has already settled the controversy pending in the present case.

5. As per decision of the Hon'ble Apex Court, a candidate who participated in the process of recruitment of constables (GD) in the force as his height if found/measured as 169.5 centimetres and above, then 0.5 would have to be ignored and 169.5 and more would have to be rounded off to the next higher centimetre. Such candidate cannot be disqualified on ground of less height, if they are 169.5 centimetres or above.
6. The Hon'ble Apex Court passed such order in an appeal in identical circumstances as arising for consideration in the present case.
7. The learned advocate for the appellants fairly submits that since the writ petitioner was not found to be below 169.5 cm. during his height measurement, therefore, nothing survives in the present appeal.
8. The learned advocate for the appellants thereafter submits that the Union of India is in the process of seeking review of the order dated 13th April, 2026 passed in the above noted case by the Hon'ble Apex Court. It would not be appropriate for this Court to comment on such submission. We, therefore, refrain from making any observation in respect of such submission.
9. Since the appeal has become infructuous in view of the above noted decision of the Hon'ble Apex Court, the same is accordingly disposed of.
10. Pending application, if any, also stands disposed of.

11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)