

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Amrita Sinha

WPA 2039 of 2026

Moumita Pal & Ors.

Vs.

The West Bengal Police Recruitment Board & Ors.

For the writ petitioners	:-	Mr. Kazi Ardan Ali, Adv. Ms. Asmita Mitra, Adv. Mr. Mayukh Saha, Adv.
For the State	:-	Mr. Vimal Kumar Shahi, Ld. AGP Ms. Susmita Chatterjee, Adv.
Heard on	:-	18.02.2026
Judgment on	:-	18.02.2026

Amrita Sinha, J.:-

1. Copy of the acknowledgement receipt for payment of deficit court fees and affidavit of service filed on behalf of the petitioners in Court today be kept with the records.
2. Four petitioners have filed the instant writ petition challenging the decision taken by the West Bengal Police Recruitment Board in declaring them unfit in the physical measurement test (PMT).
3. The petitioners have annexed documents in support of the submission that they do have the requisite height as required in terms of the recruitment notice but the authorities found the petitioners deficient in height for which they have been disqualified in PMT.

4. The petitioners submit that as per the recruitment notice, any candidate dissatisfied with the result of PMT has the opportunity to appeal in writing before the Chairperson, Range Recruitment Board on the same day of the test.

5. The petitioners submit that after the PMT was conducted and the petitioners were found unfit, they tried to prefer the appeal on the same date but there was huge commotion and ruckus for which the petitioners were prevented and were unable to file the appeal on the same date.

6. It has been submitted that the PMT of the candidates was conducted on day-to-day basis for which they could not approach the Court immediately on the next date. The candidates are all unemployed youths and rushing to the writ Court on urgent basis was not possible.

7. Prayer has been made to direct the respondent authority to measure the height of the petitioners all over again.

8. In support of their submission, the petitioners rely on the order dated February 10, 2026 passed by the Court in WPA 1877 of 2026 in the matter of **Amana Khatun & Others vs. The West Bengal Police Recruitment Board & Others** wherein similarly placed candidates, found unfit in PMT, were permitted to prefer appeal before the appellate authority questioning measurement of their height.

9. Reliance has also been placed on the order dated September 19, 2025 passed by the Hon'ble Delhi High Court in W.P.(C) 14455/2025 in the matter of **Surendra vs. Union of India & Ors.** wherein the Court posed a question as

to why even 24 hours was not granted to the candidates to appeal against the rejection of candidates found to have less height than the requisite one.

10. Learned advocate representing the State respondents opposes the submission and the prayer of the petitioners.

11. It has been submitted that the height of the candidates appearing in the recruitment test was done by an automatic stadiometer which is a digitally height-weight measurement device. There is no scope for human intervention in the said device. Same machine was used to check the height of all the candidates who participated in the recruitment process.

12. It has been submitted that the dissatisfied candidates had the right to appeal on the same date and no appeal is entertainable in future as per the recruitment notice. The petitioners did not appeal on the same date.

13. It has been contended that there are as many as 39,000 candidates who were rejected at the PMT stage. If the Court permits re-measurement or grants leave to the dissatisfied candidates to prefer appeal, then floodgate will be opened and the entire recruitment process will get delayed.

14. Prayer has been made to dismiss the writ petition.

15. I have heard the submissions made on behalf of both the parties and have perused the materials placed before the Court.

16. From the documents annexed to the writ petition, it appears that PMT of the candidates was conducted on separate dates in respect of different candidates. There are candidates whose PMT was conducted on January 9, 2026, some on January 10, 2026, a few on January 14, 2026 and January 17, 2026.

17. The cause of action for filing the writ petition for individual candidates arose on diverse dates, i.e., on the date they were found unfit in PMT. The dissatisfied candidates had the right to appeal on the very same date and no appeal is entertainable in future.

18. The petitioners allege that they were prevented from filing the appeal on the same date, but there is nothing on record to prove such allegation. The instant writ petition has been filed on January 27, 2026, i.e., long after the cause of action arose.

19. The report filed by the Deputy Superintendent of Police (Administration and Law) of the West Bengal Police Recruitment Board dated February 2, 2026 clearly mentions that the height of the candidates was measured by a standard operating machine with no human intervention. All the candidates were measured by the same machine and the mode and manner of measurement of all the candidates was the same.

20. The petitioners may have measured themselves in other Government hospitals where they have been found to be of requisite height. The Court is not aware as to whether the earlier measurement made by the petitioners or the one on the date of the examination is proper.

21. As it appears that a standard machine was used to measure the height of each and every candidate who participated in the measurement test, accordingly, the Court is not inclined to accept the prayer of the petitioners to get themselves re-measured by any other machine or by any other authority. Equality and uniformity has to be maintained in all public recruitment process.

22. The dissatisfied candidates also do not have a right to prefer appeal at such a delayed point of time.

23. In a public recruitment process certain steps have to be followed for eliminating candidates for the purpose of selecting the best ones. The Court usually does not interfere in the recruitment process unless there is specific allegation of illegality or mala fide.

24. In the instant case, nothing has been pointed out to show that there is mala fide or there is apparent illegality on the part of the respondents in conducting PMT by the said machine. It is also not the case of the petitioners that the machine by which their height was measured is a defective or a faulty one. If the same standard machine has been used for measuring height of all candidates, there is no reason to depart from the same and allow the petitioners to be measured by any other machine. The same would infringe the provision of Articles 14 and 16 of the Constitution of India.

25. If the prayer of the petitioners is allowed then there may be several other similarly placed unsuccessful candidates who would approach the Court for obtaining order in their favour. The same will lead to uncertainty in the recruitment process and there is high possibility that the recruitment process will get delayed.

26. In *Amana Khatun* (supra), the Court observed that there were certain candidates who already preferred appeal before the appellate authority and, accordingly, the Court granted leave to the others to file appeal before the appellate authority. The said order was passed on February 10, 2026.

27. It has been submitted by the learned advocate appearing for the State that the process of interview was ongoing on the said date. The interview concluded on February 12, 2026. Today on February 18, 2026, the Court is not inclined to allow the petitioners to prefer appeal.

28. In Surendra (*supra*), the Court questioned the decision of the authority not to grant 24 hours to the candidates to prefer appeal against rejection. In the instant case, the dissatisfied candidates had the right to prefer appeal on the self-same date.

29. The petitioners, knowing the terms and conditions of the recruitment process, participated in the same without raising any question. On being unsuccessful in PMT, the candidates cannot be permitted to raise the issue of not granting sufficient time to dissatisfied candidates to prefer the appeal. The rules of the game cannot be permitted to be challenged at the instance of unsuccessful candidates.

30. In view of the above, the prayer of the petitioners cannot be allowed. The writ petition fails and is hereby dismissed.

31. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

32. Urgent certified photocopy of this judgment, if applied for, be supplied to the parties or their advocates on record expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)