

S/L **23**
05.05.2026
Court No.04
B.K.N

M.A.T. 1691 of 2025
With
CAN 1 of 2025
CAN 2 of 2025
Union of India & Ors.
Vs.
Dhanapati Roy & Ors.

Mr. Ram Chandra Agarwal,
Mr. Tapan Bhanja

...for the Appellants.

Mr. Debasish Kundu

...for the Private Respondent.

1. Delay is condoned without any serious objection. The application being CAN 1 of 2025 is disposed of.
2. Learned advocate for the Appellants, at the very outset, submits that the issue whether the candidates in the process of recruitment who are found/measured as 169.5 c.m. and above would be entitled to rounding of the height as 170 c.m., now stands settled by the decision of the Hon'ble Apex Court in the order dated 13.04.2026 passed 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***. Copy of the order was handed over to the Court.
3. The said order is passed in an appeal filed by the Union of India in identical circumstances as arising for consideration in the present case.

4. The learned advocate for the appellants fairly submits that since the issue stands settled, and none of the writ petitioners were found to be below 169.5 c.m. during their height measurement, nothing survives in the present appeal.
5. 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.
6. 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.
7. Pending application, if any, also stands disposed of.
8. 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.)