

03.10.2025
rc/ct.no.06
Item No.31

WPA No. 23413 of 2025
Rinku Kundu & Ors.
Versus
Union of India & Ors.

Mr. Debasish Kundu,
Mr. Sayan Mukherjee,
Ms. Doyel Dey ...for the petitioners

Mr. Indrajit Dasgupta
Mr. Tapan Bhanja ...for the UOI

Affidavit of service filed by the petitioners is taken on record.

Learned advocates for the petitioners and Union of India are present.

Heard learned advocates for parties.

This application is directed against the order passed by the respondent authorities in treating the petitioners as disqualified on the ground that their heights are 156.5 cms and above instead of 157 cms as the petitioners are the female candidates.

It is held in different judicial pronouncements that the benefit of rounding off height is not accorded at this initial stage, namely the Physical Standard Test (PST), the candidate is precluded from qualifying to proceed to the subsequent stage of the Detailed Medical Examination (DME). Consequently, the relaxation provided in the guideline becomes illusory, as only those candidates who have already met the strict 157 cm cut-off are eligible to

appear for the Detailed Medical Examination. The Medical Board is therefore unable to apply the said relaxation, as the candidate is not presented before them.

It is also observed in the judicial decisions that a benefit conferred by the guideline must be interpreted in a manner that prevents it from being rendered nugatory. If the advantage of rounding off is not recognized at the initial measurement stage, it becomes ineffective at the subsequent stage.

Upon consideration the decision in the case of Anuj Bala Vs. Union of India & Ors. in WPA No. 21766 of 2025, this Court is of the view that the petitioners whose heights are recorded as 156.5 cms and above instead of 157 cms should be declared to be eligible for Detailed Medical Examination.

Thus, this writ petition is allowed.

The respondent authorities shall treat the petitioners to be qualified with regard to the Physical Standard Test.

At this stage, learned counsel for the Union of India prays for stay of this order. Such prayer is considered and rejected.

There shall be, however, no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswaroop Chowdhury,J)

