

03.03.2025

Court No.23

ML -17

(pp)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 28564 of 2024

Mohit Shaw
versus
Union of India & Ors.

Mr. DEbasish Kundu

....for the Petitioner

Mr. Ram Chandra Agarwa,
Mr. Tapan Bhanja,
Mr. Aninda Bhattacharya,
Ms. Atmaja Bandyopadhyay

....for Union of India.

The petitioner participated in the recruitment process of Constable (GD) in Central Armed Police Forces (in short, "CAPFs"), SSF and Rifleman (GD) in Assam Rifles Examination for the year 2024.

The petitioner after having crossed the initial stages of the said examination was medically examined in the Detailed Medical Examination (in short, "DME") which took place on 10th October, 2024. The petitioner was declared unfit due to "Cubitus valgus in both limbs".

The petitioner applied for Review Medical Examination (in short, "RME") which was held on 19th October, 2024. The petitioner was declared unfit of having deranged carrying angle deformity.

This writ petition was filed on 28th November, 2024 and as such cannot be said to have been filed at a belated stage. The petitioner says that from the RME report it appears that the carrying angle of the petitioner is Rt.-18 degree and Lt. -16 degree, although the petitioner's carrying angle is less than 20 degree, which is acceptable. The petitioner ought to have been declared fit instead of unfit on the ground of carrying angle.

There is a detailed instruction in the guidelines for recruitment of Constable (GD) in CAPFs, SSF and Rifleman (GD) in Assam Rifles being the revised guidelines as on May, 2015 (hereinafter referred to as, said guidelines). The RME has to be conducted in accordance therewith.

On behalf of the respondents, it is submitted that the selection list has been published by the Staff Selection Commission (in short, "SSC") on 13th December, 2024 and has been duly uploaded in the official website. The selection process is on the verge of completion and as such the writ petition should not be entertained to disrupt the selection process which is at the stage of issuing appointment letters.

After hearing the parties and considering materials on record, I direct the respondents to file a report in the form of an affidavit dealing with the principal grievances of the petitioner stating the relevant

facts and disclosing the necessary documents required for the adjudication of issues raised.

The report shall also clearly state about the stage of the selection process that is to say; what were number of vacancies, how many persons have been selected by SSC, whose names have been forwarded by the SSC for giving appointment and how many have been appointed till date against the declared vacancies under the said examination.

Let such report in the form of an affidavit be filed by 17th March, 2025 with copy to the learned advocate for the petitioner.

Exception, if any, be filed on or before the next date.

Let this matter appear on 19th March, 2025.

(Arindam Mukherjee, J.)