September 25,2026
Item no. 2
Court No.11
Sujata

FMA 910 of 2026

The Director General, Central Reserve Police Force & Anr.
vs.
Rakesh Biswas & Ors.

Mr. Ranjan Kr. Sinha,
Mr. Shaunak Ghosh,
...for the Appellants.

Mr. Debasish Kundu,
Ms. Doyel Dey,
...for the Respondent.

1. With the consent of the parties both the application and appeal is taken up for the hearing.
2. 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.
3. 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 centimeter. Such candidate cannot be disqualified on ground of less height, if they are 169.5 centimetres or above.

4. The Hon'ble Apex Court passed such order in an appeal in identical circumstances as arising for consideration in the present case.
5. 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.
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.

(Partha Pratim Roy, J.) **(Tapabrata Chakraborty, J.)**