

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO.16967 of 2024
With
CIVIL APPLICATION (FOR AMENDMENT) NO.1 of 2024
In
R/SPECIAL CIVIL APPLICATION NO.16967 of 2024
With
CIVIL APPLICATION (FOR AMENDMENT) NO.2 of 2024
In
R/SPECIAL CIVIL APPLICATION NO.16967 of 2024

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DAMOR KISHOR KUMAR NARANBHAI
Versus
STAFF SELECTION COMMISSION & ANR.

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Appearance :

HARSH K RAVAL for the Petitioner.
MR HARSHEEL D SHUKLA for the Respondent Nos.1 & 2.

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 17/12/2024
COMMON ORAL ORDER

ORDER IN C.A. NOS.1 & 2 OF 2024

Heard Mr. Harsh K. Raval, learned advocate for the petitioner and Mr. Harsheel D. Shukla, learned advocate for respondent Nos.1 & 2.

These applications are filed for amendment and considering the averments made in the applications and submissions made by learned advocates appearing for the respective parties, as upon perusal of amendment, this Court finds that the applications for amendment are required to be allowed and hence, the same are allowed. Amendments to be carried out in the

main petition forthwith.

ORDER IN SCA NO.16967 OF 2024

Heard Mr. Harsh K. Raval, learned advocate for the petitioner and Mr. Harsheel D. Shukla, learned advocate for respondent Nos.1 & 2.

2. It is the case of the petitioner that the petitioner had a Tattoo on his right arm prior to the recruitment process started. As per the rules of recruitment, such Tattoo are not permitted on the saluting arm, the petitioner got that Tattoo removed. Thereafter, even after removal of Tattoo, as certain scars remained on the body, the same was considered as disqualification of the petitioner to be appointed on the post of Constable though the petitioner has successfully cleared the examination and he finds a place in the merit list.

3. Considering the above, as the petitioner has already taken the corrective measures and even before the appointment order could be issued, the petitioner got his Tattoo removed, however, whether the scar would last on the body or not is something which would not be under the control of the petitioner and, therefore, considering the intentions of the petitioner, the petitioner's case is considered for grant of interim relief.

4. In view of that following order is passed :-

Notice returnable on 10.2.2025. Learned advocate Mr. Harshil Shukla waives service of notice on behalf of respondent Nos.1 and 2. Direct service for respondent No.3 is permitted.

Ad-interim relief in terms of paragraph 8 (C) is granted.

(NIRZAR S. DESAI,J)

SAVARIYA