

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.19902 of 2015
Date of Decision: 16.10.2015

Harpreet Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Dilpreet Singh Gandhi, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

1. This is the second round of litigation. The first chapter closed when this Court passed the order dated December 23, 2014 in CWP No.26414 of 2014 wherein a request was made to the Director General of Police, Punjab to re-examine the case of the petitioner with respect to measuring his height in feet and inches. Pursuant thereto the impugned order has been passed which is adverse to the petitioner. His case for compassionate appointment on the death of his father, an Assistant Sub Inspector in Punjab police. The admitted position is that if a constable candidate is 5'-10" in height then he would score 13 marks as per the criteria adopted. The petitioner is not 5'-10' in height and cannot score 13 marks added to the marks obtained for the remaining criterion and thus has not made the mark on merit. If this is the position then the petitioner has no claim for appointment as a Constable in Punjab Police as he does not

qualify the benchmark of the selection in physical standards even though he he may have been otherwise eligible for the post of Constable.

2. The present complaint is that in the selection process which was conducted in the year 2011, with advertisement issued in 2010, the same measuring tape or stadiometer was not applied across board and therefore the exercise was suspect as it was not applied uniformly to at least five candidates in a row to rule out any faulty measurement. This issue arose because the petitioner was measured in isolation as a result of court orders in the aforesaid writ petition when respondents were asked to measure his height to confirm his true height.

3. There is nothing on record to suggest that different stadiometers were used to measure height of different candidates which may have led to unfair height measurements of the candidates and vitiate the process . In the absence of any evidence that all the candidates were not put to same stadiometer or were unequally treated then interference is hardly called for in this petition. Besides, the petitioner has not challenged the selection as vitiated by any other perceived vice which would render the selection process bad.

4. There is thus no reason to interfere in this matter and the same is ordered to be dismissed.

(RAJIV NARAIN RAINA)
JUDGE

16.10.2015
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