

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No. 202

CWP-10995-2016

Decided on : 03.06.2016

Sandeep Kumar and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Kamal Chaudhary, Advocate, for the petitioners.

Mr.Harish Rathee, Senior DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Having been denied appointment as Constables in the Haryana Police, the petitioners had earlier approached this Court through CWP-17709-2013 **Sandeep Kumar and others vs. State of Haryana and others**, which petition was disposed of vide order dated 14.08.2013, directing the State of Haryana to conduct a fresh physical efficiency test of the petitioners.

Learned counsel for the petitioners argues that in terms of the afore-referred order of this Court, the test was conducted on 18.09.2013 but no result of the same was declared.

On notice having been issued, an affidavit has been filed on behalf of the State of Haryana in Court today, which is ordered to be taken on record, through which it has been submitted that as per the orders of this Court in **Sandeep Kumar's** case (supra) all the petitioners

were put to a fresh physical efficiency test and the results of the same were declared way back in the year 2013 as per which petitioners No.1, 2, 4 and 5 failed in the physical efficiency test. It is further submitted that petitioners No.3 and 6 who passed the fresh physical efficiency test were interviewed but since they failed to obtain more marks than the last candidate who was appointed they were denied appointment.

In view of the afore-referred stand taken by the State, learned counsel for the petitioners seeks withdrawal of the present petition with liberty to file a fresh petition to challenge therein the marks awarded to each of the petitioners as according to him the petitioners deserved much higher marks.

Dismissed as withdrawn with liberty as prayed for.

03.06.2016
shamsher

[DEEPAK SIBAL]
JUDGE