

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

**CWP No.25917 of 2016
Date of decision: 22.12.2016**

Gurdeep Singh SraPetitioner(s)
Versus

State of Punjab & others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.S.S.Behl, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Petitioner seeks a direction to the respondents to again conduct the physical test along with other candidates, in a fair and impartial manner, for the purpose of recruitment as Sub-Inspector to District Police Cadre of Punjab Police, under the Recruitment Test, 2016, as per advertisement No.2 dated 15.10.2016 (Annexure P2).

Counsel has restricted his relief to the extent that the petitioner has filed an appeal, which is provided as per the Standing Order No.2 of 2016 (Annexure P1). It is the case of the petitioner that as per the Physical Screening Test (PST), the male candidates, except the Ex-Servicemen, had to qualify by completing the 1600 meters race in 6.30 minutes, as per Clause 5.1.2(a) of the Standing Order. On account of as many as 40 candidates having been made to run at the same time, there was much pushing and jostling and the petitioner could only finish the race in 6.31 minutes which was only 1 second more than the requisite time. Reference has been made to Clause 5.1.4, pertaining to the appeal clause. The same reads as under:

“5.1.4 APPEALS RELATING TO PMT/PST

Those candidates who are declared not qualified in Physical Measurement Test and/ or Physical Screening test may prefer an

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appeal, if they so desire, to the Chairperson of the Regional/Range Recruitment Board on the same day in writing. The decision of the Chairperson shall be final and no further appeal or representation in this regard will be entertained. The Chairperson will record the reasons thereof for each case separately in writing.”

It is, thus, the contention of counsel that keeping in view the fact that the petitioner has filed representation/ appeal (Annexure P8 Colly.) with respondent No.1-Home Secretary; Incharge, Recruitment Cell and the DGP, the petitioner would be satisfied if the same is decided in a time-bound frame.

Notice of motion.

Mr.S.S.Chandumajra, Addl.A.G., Punjab accepts notice on behalf of the respondent-State. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, without commenting upon the merits of the case or the entitlement of the petitioner and in view of the fact that there is an appeal provided as per the Standing Orders, the present writ petition is disposed of, with a direction to the Chairperson of the Recruitment Board, to decide the appeal filed by the petitioner (Annexure P8), within a period of 2 weeks from the receipt of a certified copy of this order. In case an adverse order is to be passed, the same should contain reasons and thereafter, be conveyed to the petitioner.

22.12. 2016

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No