

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2392 of 2016 (O&M)
Date of Decision: December 12, 2016

Mantej Singh and othersAppellants
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.K.S.Sidhu, Senior Advocate with
Mr. GS Benipal, Advocate for the appellants.

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- 1. Whether Reporters of Local papers may be allowed to see the judgment?
- 2. To be referred to the Reporters or not?
- 3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The appellants are contestants for the posts of Constables in Punjab Police. Instead of competing alongwith other candidates, their intention appears to stall the recruitment process. We say so for the reason that the appellants claim that the selection procedure is favourably inclined towards such candidates who have passed 10+2 examination in the later years from the year 2013 onwards. We do not find any merit in such a contention for the reason that the advertisement prescribes the following criteria for awarding marks:-

“9. MARKING SYSTEM

MARKS FOR HEIGHT

The candidate shall be awarded marks as per the following criteria:

<u>MALE</u>		<u>FEMALE</u>	
Height	Marks	Height	Marks
5'-7”	10	5'-3”	10

5'-8"	11	5'-4"	11
5'-9"	12	5'-5"	12
5'-10"	13	5'-6"	13
5'-11"	14	5'-7"	14
6' and above	15(maximum)	5'-8"and above	15 (maximum)

MARKS FOR PERFORMANCE IN 10+2 BOARD EXAM.

(Applicable to all male and female candidates except Ex-servicemen)

Percentage of marks (10+2 Board exam.)	<u>Marks</u>
Upto & including 40%	10
More than 40% and upto & including 50%	11
More than 50% and upto & including 60%	12
More than 60% and upto & including 70%	13
More than 70% and upto & including 80%	14
Above 80%	15 (Maximum)"

It may be seen that the prescription of marks as per the height of the candidate or as per his marks secured in 10+2 Board examination, is applicable uniformly irrespective of the year of passing of the 10+2 examination. There is no favourable consideration for any class or candidates. Similarly, the advertisement further provides that cadre shall be allocated to the candidates on the basis of the marks obtained in the combined merit list. The said clause reads as follows:-

“Note:

Allocation between the District Police Cadre and Armed Police Cadre will be made on the basis of the option given by the candidate and his Merit Position in the State wide Combined Merit List, which would be derived from marks obtained by him/her in Physical Measurement Test, 10+2marks and Interview-cum-Personality Test....”

Again it may be seen that there is no discretion left with the authorities and allocation shall be made strictly on merit.

That being the state of affairs, the view taken by the learned
Single Judge calls for no interference.

Dismissed.

[SURYA KANT]
JUDGE

December 12, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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