

CWP-19392-2016

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19392-2016

Date of Decision: May 17, 2017

Harjeet Kaur

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. L.S. Bhullar, Advocate
for the petitioner.

Mr. Harkesh Manuja, Addl. Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (Oral):

Petitioner has approached this Court asserting that her height is 5 feet 3 inches which fact is disputed by the respondents as according to them, at the time when measurement was made, her height came to 5 feet 2.1 inches, therefore, being below the benchmark fixed for consideration for selection to the post of Lady Constable, her claim was rejected.

Learned counsel for the petitioner has referred to a certificate issued by the Senior Medical Officer, Moga, dated 15.09.2016 (Annexure P-5), wherein, height of the petitioner has been measured and determined as 5 feet 3 inches. He, thus, contends that there has been an error while measuring the height of the petitioner.

Learned counsel for the respondents, on the other hand, asserts that the petitioner, if was not satisfied with the measurement of height

which was done at the spot during the selection process, she had an opportunity to file an appeal before the Chairman of the Recruitment Board, which has not been so done by her and therefore, the prayer as has been made by the petitioner in the present petition may not be accepted as petitioner had accepted the measurement as made at the time of selection.

I have considered the submissions made by the counsel for the parties and with their assistance have gone through the records of the case.

The assertion of the counsel for the respondents may be correct but the fact remains that there is a certificate issued by a Competent Government Authority determining the height of the petitioner as 5 feet 3 inches and therefore, to clear the doubt on this aspect, it would be appropriate that the height of the petitioner be determined on measurement by a third independent Government Authority. Accordingly, the present petition is disposed of with direction to the petitioner to appear before the Board to be constituted by the Senior Medical Officer, District Jalandhar, on 24.05.2017 at 10.00 AM. The report of the Board shall be forwarded by the Senior Medical Officer, District Jalandhar, to the Chairman-cum-Commissionerate, Zonal Recruitment Centre (Female Constables), Jalandhar, District Jalandhar-respondent No.3, within a period of one week. On receipt of the said report and in case the height of the petitioner is found 5 feet 3 inches or above, the further selection process shall be carried out and completed within a period of four weeks. Result of the petitioner thereafter be declared, if required.

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The writ petition stands disposed of accordingly.

Copy of this order be given ***dasti*** to the counsel for the parties under the signatures of the Bench Secretary of this Court.

(AUGUSTINE GEORGE MASIH)
JUDGE

May 17, 2017
Harish

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