

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5511 of 2018**

Tekchand Dhankar S/o Shri Krishan Kumar Dhanker, Aged About 22 Years R/o Village - Padariya, Tahsil - Takhatpur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary Department Of Home Mantralaya, Mahanadi Bhavan, Naya Raipur, Raipur Chhattisgarh.
2. Director General Of Police, Naya Raipur, District Raipur Chhattisgarh.
3. Inspector General Of Police Durg, District Durg Chhattisgarh.
4. Superintendent Of Police, Durg, District Durg Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Mirza Hafeez Baig, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/08/2018**

1. The relief sought for in the present petition is for an appropriate direction to the respondents for relaxing the prescribed height for the recruitment to the post of Constable in the police department.
2. According to the petitioner, the required height is 5'6", whereas the petitioner is only 5'4" and in certain cases the respondent No.2 has got the power to relax the height of the candidates, but so far as the petitioner is concerned, since he does not come under any of those categories, he is being denied and he seeks an indulgence of this Court for a direction to the respondent No.2 to grant relaxation in the case of the petitioner also.
3. Though the petitioner has referred that the DGP has got the power for relaxing the height, but he has not produced any circular with the

writ petition in this regard, neither is the said policy of the State Government under challenge in the present writ petition. The petitioner fairly admits that the petitioner would not fall under any of the categories under which the respondent No.2 has got the power to condone or relax the height prescribed for recruitment.

4. In the absence of any power of relaxation, the present writ petition in its present form may not be sustainable as the power of relaxation if at all, is confined to certain limited categories and which cannot be extended beyond those categories and if the claim of the petitioner is on the ground of discrimination then the petitioner would have to challenge the policy itself, if any, which again is not under challenge in the present writ petition.
5. Given the said facts, this Court does not find any merits in the writ petition, the same stands dismissed.

Sd/-
(P. Sam Koshy)
Judge