

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

CWP 4297/2018

Date of decision:21.11.2018

Ranjit Singh

.....Petitioner

v.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.G.S.Chhina,Advocate for the petitioner

Mrs.Anu Chatrath Kapur,Addl.AG Punjab for official
respondents.

Jaswant Singh,J,(Oral).

Petitioner competed for appointment to the post of Warders (527 posts) advertised on 12.10.2011. He belongs to General category and the number of posts earmarked for General category are 220. The recruitment process was cancelled on account of some glaring discrepancies and the same was challenged before this Court in a bunch of petitions which was decided on 17.12.2016. This Court while setting aside the notice of cancellation of recruitment process, directed the selection process to be conducted by adopting the criteria as per advertisement and prepare a fresh merit list.

Since the benefit was being restricted only to petitioners therein, a second round of litigation ensued wherein vide order dated 10.8.2017, it was directed that the directions contained in the order dated 17.12.2016 were not meant only for petitioners therein but also for all other

candidates who had passed physical measurement test conducted in the year 2011. Thus, in the aforesaid facts the selection process got delayed.

As far as the present petitioner is concerned, after undergoing fresh selection process comprising of physical measurement, physical efficiency test and interview, he is stated to have secured 28.38 marks whereas the last candidate selected for the post of Warder in the General Category had secured 29 marks.

The petitioner claims that his height was not correctly measured as 5'11½" in the selection process, whereas it was factually 6' and thus the petitioner was entitled to one additional mark enhancing his merit position to 29.38 and thereby falling within the zone of appointment.

This Court on 1.11.2018 passed the following order:-

“ To resolve the dispute to the satisfaction of the petitioner, it is deemed expedient to order the re-measurement of the height of the petitioner, subject to payment of adequate costs.

Let the petitioner appear before the Additional Director General of Police, Punjab Armed Police (PAP) Jalandhar on 14.11.2018 at 11.00 a.m., who shall constitute a Board for re-measurement of the petitioner, subject to payment of Rs.2,000/- (Two thousand only) as costs towards the videography of the whole process of re-measurement.

Adjourned to 21.11.2018.

Report of the re-measurement of the petitioner be submitted before this Court through the office of Advocate General, Punjab, by the adjourned date.

To be taken up in the Urgent List.”

At the time of resumed hearing, learned State counsel has placed on record the proceedings dated 14.11.2018 of the Committee constituted for re-measuring the petitioner. The same is taken on record as Mark-A.

As per the report the height of the petitioner has been found to

be 6' on re-measurement.

In view of the aforesaid factual position, counsel for the State concedes that the merit of the petitioner would now be 29.38 and therefore, the authorities would take further action in view of the revised merit of the petitioner.

In response, counsel for the petitioner concedes that nothing more survives for adjudication.

In view of the aforesaid this petition is disposed of as infructuous.

Concerned authorities are directed to take necessary action with consequential notional benefits within three weeks from the date of receipt of certified copy of this order failing which they shall make themselves liable to be hauled up in contempt proceedings apart from payment of compensatory costs.

21.11.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No