

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

**Civil Writ Petition No.438 of 2018
Date of Decision: 22.01.2018**

Manish Wadhera

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Aseem Kataria, Advocate for the petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab.

JASWANT SINGH, J. (Oral)

The petitioner is an aspirant for appointment as Jail Warden in the category of Backward Class, pursuant to the advertisement of the year 2011, however, the selections are being re-conducted in compliance of the orders passed by this Court on 17.12.2016 (**Annexure P-1**).

Concededly, the petitioner does not fall within the zone of appointment, however, it is contended that the actual height of the petitioner is 5' 10" i.e. 178 cm. and, therefore, as per the criteria, he is entitled to be awarded one extra mark and hence would fall within the zone of appointment.

It was stated that the height of the petitioner has been wrongly measured as 5' 9.5" by the Sub Committee, Fazilka.

Upon the willingness of the petitioner to be re-measured by any Authority, established by the DGP (Jails), Punjab, this Court issued notice of motion for today.

At the time of hearing today, an affidavit dated 22.01.2018 of Deputy Inspector General of Prisons, Punjab has been filed in Court, which

is taken on record. Copy of the same has been supplied to learned opposite Counsel.

In the said affidavit, it is averred that the petitioner was called for re-measurement of his height by a 3-Member Committee on 17.01.2018 and after the measurement, it was found that the actual height of the petitioner is 5 feet and '9.843 inches i.e. 177.4 cm. and, therefore, it would not in any manner enhance the already determined merit position of the petitioner.

In view of the above, no further adjudication is required in the present petition.

Accordingly, the present writ petition is dismissed.

January 22, 2018
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>