

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3710 of 2019

Arti Paswan, Wife of Dharmendra Kumar Resident of Village- Ward No. 11,
Dharmpur, Hathidah, P.S.- Mokama, Post- Mokama, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna
2. The Chairman, Bihar Police Sub-Ordinate Services Commission, Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Awadhesh Prasad Sinha, Advocate.
For the Respondents	:	Mr. Md. Nadim Seraj (Gp5)
	:	Ms. Shalini, AC to GP 5.
For the B.P.S.C.	:	Mr. Sanjay Pandey, Advocate.
	:	Mr. Nishant Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-02-2019

Heard the learned counsel for the petitioner and the State.

2. The petitioner who is an applicant for being considered for being appointed on the post of Sub-Inspector of Police is aggrieved by the measurement of her height which has resulted in non-suiting her for further consideration of her appointment on the post.

3. It has been submitted on behalf of the petitioner that against an advertisement issued in the year 2017 for the purposes of recruitment of Sub-Inspectors by the Bihar Police Sub-Ordinate Services Commission, Bihar, Patna, the petitioner had applied and was declared successful in several rounds of the selection processes. It



was only at the stage of the measurement of height that she was rejected as having height of less than 160 Cms., though in fact, she is more than 160 Cms. It is the case of the petitioner that she made a complaint regarding the wrong measurement by the Commission before the Public Grievance Redressal Cell and also demonstrated by measuring her height by a tape that she was more than 160 Cms. but the concerned officer in the Public Grievance Redressal Cell refused to interfere in the matter and did not take any cognizance of the aforesaid complaint.

4. Learned counsel for the petitioner has submitted that the process of appointment of Sub-Inspectors is still afoot.

5. Mr. Sanjay Pandey, learned advocate appearing for the Commission has submitted that the pleadings in the present petition is deficient in as much as the petitioner has not chosen to inform this Court whether the petitioner had made any objection with respect to the measurement or had applied for the review of measurement. This not having been disclosed by the petitioner in the present petition, the prayer of the petitioner ought not to be allowed.

6. However considering the fact that the petitioner is sanguine that she has a height of more than 160 Cms., the requisite height being 160 Cms., for the



post of Sub-Inspector of Police in the category of women, this Court deems it appropriate to direct the Commission to subject the petitioner to review measurement of height.

7. This be done on the petitioner making an application before the Secretary of the Commission along with a copy of this order within a period of two weeks from today. On receipt of such representation/application, necessary/needful measurement shall be made and if the petitioner is found to be possessing the requisite minimum height, she should be considered for being appointed on the post of Sub-Inspector of Police, provided she clears the other hurdles.

8. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.03.2019
Transmission Date	

