

Sr. No.139

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

CWP No.32425 of 2019 (O&M)

Date of Decision: 07.11.2019

Roop Lal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amit Kumar, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

1. Petitioner is seeking issuance of a writ in the nature of mandamus commanding the respondents to relax the conditions for recruitment with respect to the height and age for the post of Constable.

2. On a query posed by the Court, learned counsel submits that there are no administrative Instructions and/or any Rule, which has been violated while rejecting the case of the petitioner.

3. In the premise, no case for issuance of a writ in the nature of mandamus is made out. Accordingly, dismissed.

4. At this stage, learned counsel for the petitioner submits that vide letter dated 09.05.2019 (Annexure P-12), it has been observed that there are Instructions to the extent that in the case of any police official attaining martyrdom, kin of the martyr would be given relaxation qua height and age for being considered on the

post of Constable.

5. Learned counsel for the petitioner submits that petitioner's father was an ex serviceman and had participated in two wars viz. 1965 followed by 1971 and received bullet injury owing to which he was boarded out from army. He submits that on that score, petitioner is also entitled for relaxation (supra) on sympathetic ground.

6. Prima facie, I am not in agreement with the submissions of learned counsel for the petitioner, however, it is open to the respondents to consider the representation of the petitioner on sympathetic grounds, in case, they so wish.

7. It is made clear that dismissal of the writ petition shall not preclude competent authority to take decision on the pending representation.

8. Disposed of in above terms.

07.11.2019

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No