

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4832 OF 2020**

Top Lal Sidar, S/o Shri Thanda Ram Sidar, aged about 27 years, R/o Village Bodadih, Tahsil Bilaigarh, District Balodabazar-Bhatapara (CG) ... **Petitioner**
versus

1. State of Chhattisgarh, through Secretary, Department of Commercial Tax (Excise), Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. Chhattisgarh Public Service Commission, Shankar Nagar, Raipur (CG)
3. Commissioner, Department of Excise, Raipur (CG) ... **Respondents**

For Petitioner	:	Mr. Kamal Kishore Patel, Advocate.
For Respondents No. 1 & 3/State	:	Mr. V.R. Tiwari, Addl. A.G., along with Mr. Sudeep Verma, Dy. G.A.
For Respondent No.2/CGPSC	:	Mr. Anand Mohan Tiwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/01/2021

1. Grievance of the Petitioner in the present Writ Petition seems to be the declaring of the Petitioner ineligible on the ground that the Petitioner does not have the requisite height for the recruitment to the post of Excise Sub Inspector.
2. According to learned Counsel for Petitioner, the Petitioner has been wrongly held to be of less height, to the extent that the actual height of the Petitioner is 165cm which is the minimum requirement, however, erroneously the authorities in the Department have found the Petitioner to be of 164cm of height.
3. Given the said fact, the entire dispute can be laid to rest if the height of the Petitioner is decided by the District Medical Board of District Raipur and the Petitioner be subjected to physical examination only so far as his height is concerned and the report be submitted to Respondent No.1 and appropriate decision be taken in accordance with the medical report so far as the height of the Petitioner is concerned. In case, if the District Medical Board finds the Petitioner to be of more than 165cm then appropriate remedial steps be taken by the Respondents.
4. It is made clear that for referring the Petitioner to the District Medical Board, Raipur, he should first report to Respondent No.1 who in turn shall send the Petitioner to the District Medical Board, Raipur on a date to be fixed by the District Medical Board, Raipur.
5. With the aforesaid observations, the Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE