

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(133)

CWP No. 13777-2021

Date of Decision : 27.07.2021

Gurminder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Puneet Kumar Bansal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the claim of the petitioner is akin to the question of law decided by a Co-ordinate Bench of this Court decided in bunch of petitions being CWP No. 22985 of 2016 and other connected cases titled as '*Raghvir Singh and others Vs. State of Punjab and others*' regarding the measurement of the height of a candidate while making recruitment to the post of Constable in the Punjab Police. Learned counsel for the petitioner submits that in the said bunch of petitions, the writ petitions filed in the year 2020 have also been disposed of with the direction that in case a candidate has any grievance qua the measurement of height, the said candidate will be eligible to approach the competent authority within a period of 30 days.

Learned counsel further submits that the petitioner also has a

grievance regarding the measurement of his height but as the judgment of the Co-ordinate Bench has only granted relief to the candidates, who were parties before the Court, the petitioner will not be eligible to raise the same grievance before the authorities. Learned counsel for the petitioner submits that the petitioner could not approach this Court earlier due to the pandemic of Covid-19 and, therefore, once the candidates similarly situated have been given benefit to raise their grievances regarding the measurement of height before the competent authority hence, the petitioner who also has a similar grievance, be also allowed to raise the same grievance before the authorities especially in view of the fact that the selection proceedings are yet to attain finality.

Notice of motion.

Mr. Charanpreet Singh, learned Assistant Advocate General, Punjab, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State.

Learned counsel for the respondents submits that in case the petitioner has any grievance, he should have approach the competent authority first and in case the petitioner files any representation raising the grievance regarding measurement of his height before the competent authority, the said grievance of the petitioner will be considered on merits by the concerned authority.

Faced with this situation, learned counsel for the petitioner prays that he be allowed to withdraw this petition, at this stage, with liberty to approach the respondents for raising the said grievance and also allowing him

to raise the grievance regarding his height as allowed by this Court while deciding CWP No. CWP No. 22985 of 2016 titled as '**Raghvir Singh Vs. State of Punjab and others.**

Ordered accordingly.

In case the petitioner files the representation with the respondents, the same be decided within a period of 4 weeks after filing of the same. It is made clear that this Court is not making any observation on the merits of the case or the claim being made by the petitioner at this stage.

July 27, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*