

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

CWP-21841-2021 (O&M)

Date of decision: 28.10.2021

Aman

...Petitioner

V/S

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aditya Yadav, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to re-examine the height of the petitioner in accordance with the directions given by this Court in CWP-23875 of 2016 titled as “*Sonu Singh Vs. State of Haryana and others*” passed on 21.11.2016, contained at Annexure P-13.

2. Learned counsel for the petitioner submits that petitioner has been disqualified for selection on the post of Police Constable (Female), ostensibly as per Physical Measurement Test Report dated 18.10.2021 (Annexure P8). Petitioner's height has been shown as 155.2 cm., whereas the minimum height required to qualify the physical screening test is 156 cm. Learned counsel for the petitioner contends that petitioner's actual height is 158 cms as per Medical Fitness Report dated 23.10.2021 issued by the expert doctors contained at Annexure P-9. Petitioner also

submitted a representation dated 23.10.2021 (Annexure P-10) qua her grievance, but to no avail. Hence, the instant petition.

3. Notice of motion.

4. On advance service, learned State counsel joins proceedings and accepts notice on behalf of the respondent-State of Haryana and submits that competent authority shall take decision either way, on the pending representation of the petitioner, in due course.

5. I have heard learned counsel for the parties and gone through the case file.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to re-measure the height of the petitioner in terms of the directions issued by this Court vide order/judgment decided on 21.11.2016 passed in CWP-23875 of 2016 titled as “*Sonu Singh Vs. State of Haryana and others*” contained at Annexure P-13.

8. It is also made clear that in case, on re-measurement of the height of the petitioner, she is found to be taller than what was measured earlier, she would be given the benefit of the same, in accordance with height criteria as advertised by the respondents.

9. Let the needful be done within a period of two weeks from today.

10. In the parting, it is also expected of the respondents to implement the directions issued vide judgment, passed in **CWP No.22985 of 2016 decided on 05.07.2021** titled as “*Raghvir Singh and others Vs. State of Punjab and others*”.

11. In the case of **Raghvir Singh** *ibid*, directions were though issued to the State of Punjab. But vide instant order, State of Haryana is also directed to also ensure that **Raghvir Singh** judgment is implemented in letter and spirit in Haryana as well, for all prospective recruitments. Needless to say, any violation thereof would lead to consequences under Contempt of Court Act.

12. Disposed of accordingly.

28.10.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No