

[120] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23239 of 2021
Date of Decision : 17.11.2021

Mamta Kumari ...Petitioner

Versus

State of Haryana and othersRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. J.P. Sharma, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of a writ, order or direction especially in the nature of Certiorari for quashing the impugned Physical Measurement Test Report (Annexure P-8) dated 19.10.2021 vide which the height of the petitioner has been shown as 153.3 cm (against required height of 156 cm) and for the issuance of a writ in the nature of Mandamus directing the respondents to re-measure the height of the petitioner in accordance with the directions given by this Court in judgments (Annexures P-11 to P-13) dated 28.10.2021, 21.11.2016 and 05.07.2021 in view of the height of the petitioner on re-measurement by a Government Hospital having been found vide (Annexure P-9) dated 11.11.2021 to be 158.2 cm, i.e. more than the stipulated height required to consider the claim of the petitioner for appointment.

[2] Learned counsel contends that the petitioner was not selected for the post of Police Constable (female) on the ground that as per Physical Measurement Test Report (Annexure P-8) dated 19.10.2021,

her height had been found to be 153.3 cm, whereas the stipulated height requirement for qualifying the Physical Screening Test is 156 cm.

[3] Learned counsel contends that the petitioner got her height re-measured from Government Hospital in Rewari, in which it was found that the height of the petitioner is 158.2 cm, as is evident from the report (Annexure P-9) dated 11.11.2021.

[4] Learned counsel contends that the petitioner submitted representation (Annexure P-10) dated 12.11.2021 to respondent Nos.2 & 3 for redressal of her grievance but to no avail, therefore, the instant petition.

[5] Notice of motion.

[6] Mr. Tapan Kumar, learned DAG, Haryana, accepts notice on behalf of the respondents and after perusal of the writ petition states that the writ petition can be disposed of by directing the competent authority to take a decision on the representation (Annexure P-10) dated 12.11.2021 by getting the height of the petitioner remeasured.

[7] Accordingly, in view of the statement of learned counsel for the parties but without commenting upon the merits of the claim, the writ petition is *disposed of* by directing the respondents to get the height of the petitioner re-measured in terms of the directions issued by this Court vide judgment dated 21.11.2016 in CWP No.23875 of 2016 in case titled as 'Sonu Singh versus State of Haryana and others' i.e. Annexure P-12. It is clarified that in case, on re-measurement of the height of the petitioner, the petitioner is found to be meeting the height stipulation as per rules for selection to the post of Police Constable (female), she would

be given benefit of the same in accordance with law and her claim for appointment considered. Needful be done within 04 weeks from the date of receipt of certified copy of the order.

[8] Petition disposed of with the aforementioned directions.

(B.S. Walia)
Judge

17.11.2021
'Rajneesh'

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