

CWP-23626-2021

Date of Decision : 23.11.2021

Pooja

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Balraj Gujjar, Advocate for
Mr. Vikas Saroha, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Learned counsel contends that the petitioner has not been selected for the post of Constable (Female) allegedly on account of her height being 155 cm i.e. 1 cm short of the requirement stipulated in the advertisement. Learned counsel contends that in fact the petitioner got her height re-measured from Civil Hospital, Sonapat and as per the certificate issued by the Civil Hospital, Sonapat, height of the petitioner on re-measurement is 156 cms. Learned counsel contends that in the circumstances, the respondents are liable to be directed to reexamine the height of the petitioner in accordance with the directions given by this Court in CWP No.23875-2016, in case titled as Sonu Singh vs. State of Haryana and others, decided on 21.11.2016.

2. Learned counsel further contends that the petitioner has submitted representation Annexure P/9 dated 01.11.2021, in respect of the grievances which are the subject matter of the instant writ petition, but no decision has been taken in respect thereto till date, therefore, the instant writ petition.

3. Notice of motion to respondent No.3 only.
4. Mr. Tapan Kumar, DAG, Haryana, accepts notice on behalf of respondent No.3 and on perusal of the writ petition states that the writ petition can be disposed of by directing a decision to be taken on the representation and if necessary by getting the height of the petitioner re-measured, if the circumstances of the case so warrant, in terms of the decision rendered in Sonu Singh's case (supra).
5. I have considered the submissions of learned counsel, gone over the paper book and in view thereof but without expressing any opinion on the merits of the case, dispose of the writ petition by directing respondent No.3 to take steps to get the height of the petitioner re-measured in terms of the decision in Sonu Singh's case (supra) as also to decide the representation of the petitioner, in accordance with law, after taking into account all aspects of the matter within two weeks from the date of receipt of certified copy of this order. It is made clear that if on re-measurement, height of the petitioner is found to be meeting the stipulated requirement, she would be given benefit in respect thereto, in accordance with law.

(B.S. Walia)
Judge

23.11.2021

rajesh

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