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

**CWP-21380-2016
Date of decision: 09.08.2022**

SANDEEP KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S. K. Nehra, Advocate
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed seeking to challenge the action of the respondents, vide which they have declared the petitioner as disqualified in the Physical Efficiency Test, which was conducted on the directions as passed by this Court.

Learned counsel for the petitioner herein would contend that the petitioner who had applied for appointment to the post of Constable has wrongly been declared unfit on account of not passing the Physical Efficiency Test.

Learned State counsel would submit that the petitioner was given an opportunity to clear the Physical Efficiency Test once more,

however, was not able to clear the same as he obtained only 13 marks out of 20 marks and candidates having more merit than the petitioner herein have been selected. He would also rely upon the CD, which has been annexed with the written statement as Annexure R-3.

I have heard learned counsel for the parties and have perused the reply as filed.

Given the fact that the Physical Efficiency Test was the criteria for selection and as the petitioner has not cleared the same, it cannot be said that he is entitled for appointment.

Consequently, the instant writ petition is dismissed.

09.08.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*