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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26478-2022

Date of decision: 21.11.2022

PARMJIT KAUR

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Pardeep Kumar Kapila, Advocate
for the petitioner.

JAISHREE THAKUR, J.

This is a petition that has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus, directing the respondents to re-measure the height of the petitioner from any Government Hospital/independent body.

In brief, the facts as stated are that the petitioner herein applied for recruitment as Constable in Punjab Police pursuant to advertisement No.1/2016 (Annexure P-1). The petitioner was issued roll number and was called for Physical Measurement Test and Physical Screening Test on 01.08.2016. The petitioner appeared and cleared the same, however, her name did not reflect in the merit list and the subsequent revised merit list prepared. The petitioner approached the Director General of Police, Punjab and was told that she had been given 14 marks for her height, which was recorded as 5 feet 7 inches and 12 marks for her qualification and having secured total 26 marks, she does not come into the zone of consideration as the last selected candidate in the merit list has total of 27

marks. The petitioner herein claiming to have height of 5 feet 8 inches got herself measured at Civil Hospital, Giddarbaha and then again approached the respondents to consider her claim vide representations dated 25.11.2017 and 03.05.2019 (Annexure P-7 and P-8 respectively), but did not find favour.

Learned counsel for the petitioner would contend that the petitioner, who has a height of 5 feet 8 inches would be entitled to one additional mark for her height i.e. 15 marks, which in turn would take her total to 27 marks and then she would come into the zone of consideration. It is submitted that the petitioner filed CWP No.24640 of 2019 (Annexure P-9), which was disposed of on 06.09.2019 by this Court directing for the height of the petitioner to be re-measured by constituting a proper Committee, but as the petitioner was not called for re-measurement, contempt petition bearing COCP No.3835 of 2019 was filed, which was eventually disposed of on 13.12.2019. It is submitted that bunch of writ petitions were decided on 05.07.2021, wherein direction was given by this Court to re-measure the height of the petitioners therein. The petitioner was called for re-measurement by the Recruitment Board, PAP Jalandhar on 17.12.2021 and as per the height measured, she was shown to be of 5 feet 6 inches. The petitioner again got herself re-measured at Civil Hospital, Giddarbaha and in fact, the medical certificate which is annexed as Annexure P-14, would reflect that her height is 5 feet 8 inches. It is further submitted that the height of the petitioner herein be again re-measured by an independent body.

I have heard learned counsel for the petitioner and have also perused the pleadings of the case.

Admittedly, the petitioner had applied for recruitment as Constable in Punjab Police pursuant to advertisement No.1/2016. Her height was measured at that relevant time and it was found that she is 5 feet 7 inches and accordingly, was

awarded 14 marks. The entire grievance of the petitioner is that she was measured not once but twice at Civil Hospital, Giddarbaha and her height is reflected to be 5 feet 8 inches both times and, therefore, she would be entitled to 15 marks instead of 14 marks, which would take her score to be 27 marks and, therefore, she would come into the zone of consideration.

The arguments as addressed do not find merit. The petitioner has been measured twice by the Recruitment Board. Firstly, her height was recorded to be 5 feet 7 inches, for which she has been given appropriate 14 marks. The second measurement was done under the orders of this Court itself, when her height was recorded to be 5 feet 6 inches. The medical certificates relied upon by the petitioner pertain to Civil Hospital, Giddarbaha, which do not reflect that the height has been measured in terms of judgment rendered in **Sonu Singh versus State of Haryana and Others, CWP-23875-2016**, decided on **21.11.2016**. This Court while directing re-measurement of height of the petitioners in CWP No.22985 of 2016, pertaining to the same advertisement had given directions for the measurement to be done in terms of directions in Sonu Singh's case (supra). Therefore, once a Medical Board has already re-measured the height of the petitioner in terms of directions given by this Court, there can be no cause for re-measuring the height of the petitioner for the third time.

Consequently, the instant writ petition, being devoid of merit, is hereby dismissed.

21.11.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No