

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

**CWP No.1146 of 2019(O&M)
Date of Decision: 12.04.2023**

**RandhirPetitioner
Vs**

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. R.K. Malik, Sr. Advocate with
Mr. Digvijay Singh, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

[1]. The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus for consideration of his candidature for appointment as a Constable in Haryana Police.

[2]. Evidently, the petitioner is colour blind.

[3]. At the time of issuance of notice of motion, reliance was placed on **Union of India Vs. Satya Prakash Vasisht, 1994 SCC (L&S) 792, Mohd. Faisal Vs. Government of NCT of Delhi and others, 2007(1) RSJ 158** and **CWP No.13338 of**

2008 titled **Satish Kumar Vs. State of Haryana and others**

decided on 29.04.2009.

[4]. Stand of the petitioner was that the petitioner is having only defective colour vision and is not totally colour blind. As per opinion of the Board attached as Annexure R-4 with the written statement, the Board has found him the case of colour vision defective and colour blind, which is one and the same thing.

[5]. Learned Senior Counsel for the petitioner has fairly admitted that after considering the ratio of different precedents cited in this case, the Division Bench of this Court in **LPA No.882 of 2009** titled **State of Haryana and others Vs. Satish Kumar** and **LPA No.1320 of 2009** titled **State of Haryana and others Vs. Chander Pal** decided on 02.08.2011 has held that a Constable with colour blindness could cause danger to the life of public by giving or noticing wrong coloured signal. Therefore, proper colour vision is a pre-requisite for such type of duties. Not only this, after a Constable is promoted to further ranks, he is required to perform the duty as an Investigating Officer, which also require proper colour vision to inspect the spots and collection of the evidence. The Division Bench has emphasized that the '*Dot Card Test*' is an essential test and a person who is not able to pass this test could not be offered appointment as a Constable in the police force.

[6]. In view of ratio laid down in **Satish Kumar's case**
(supra) and **Chander Pal's case (supra)** no interference is
called for in the present writ petition. This writ petition is
accordingly dismissed.

12.04.2023

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No