

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-24719-2023

Date of decision: 03.11.2023

RICHAN SINGLA

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Inderjeet Singh Brar, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to decide the representation dated 23.10.2023 (Annexure P/7) and accurately remeasure the height of the petitioner and reconsider his claim in case he fulfills the required criteria of height as he had already cleared the written examination.

Learned counsel for the petitioner contends that the petitioner had applied for the post of Fireman in the Municipal Corporation in the year 2023 and cleared the written examination as well as physical test but he was disqualified on the ground that the height of the petitioner is "5 Feet 4.9 Inch" which is below minimum required criteria of "5 Feet 5 Inch" height. Learned counsel further condents that the petitioner had also appeared in the Punjab Police Constable examination for District Police Cadre and Armed Police in the year 2021 and as per the Physical Measurement Test Report dated 13.12.2021 (Annexure P/6),

height of the petitioner was measured as “5 Feet 5.2 Inch”. Learned counsel submits that the petitioner was disqualified from the above-said post only due to inaccurate height measurement by respondents No.2 & 3 and has approached the Chairman, Subordinate Service Selection Department-respondent No.2 by way of application/representation dated 23.10.2023 (Annexure P/7), which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the application/representation in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 & 2 and submits that respondent No.2 is the competent authority to take final decision and he does not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case, respondent No.2 is directed to decide the application/representation dated 23.10.2023 (Annexure P/7) by passing a speaking order in accordance with law within a period of 10 days from the date of receipt of certified copy of this order.

The petition stands disposed of.

November 03, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>