

\$~40

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of decision: 15th May, 2023***

+ **W.P.(C) 6363/2023**

MANPREET SINGH AND ORS Petitioners

Through: Mr. Ajay Garg, Ms. Tripti Gola, Ms.
Lhingehat Chongloi, Mr. Arvind
Sardana and Mr. Rohit Dhankar,
Advocates

versus

STAFF SELECTION COMMISSION AND ORS Respondents

Through: Ms. Garima Sachdeva, Senior Panel
Counsel

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

J U D G M E N T (oral)

1. Vide the present writ petition, petitioner is praying as under:

“a. quash the rejection slips dated 01.05.2023 in respect of Mr. Manpreet Singh/petitioner no.1 (Roll No. 1402036464) and Mr. Lakhan Sharma/petitioner no.2 (Roll No. 510512218) and Rejection Slip (undated) in respect of Mr. Vidya Dhar Pandey/petitioner no.3 (Roll No. 6014023154) issued by the respondents, whereby the candidatures of the petitioners were wrongly rejected being not qualified in the PST (Height) in the selection process for the post of Constable (GD) in Central Armed Police Forces (CAPFs), SSF, Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau, 2022as advertised by the respondents in 2022; and

b. to direct the respondents to conduct the re-measurement of height of the petitioners preferably in some Government/Army Hospital and if found qualified, allow

them to participate the further selection process i.e. PET and Medical Examination & Verification of Documents for the post of Constable (GD) in Central Armed Police Forces (CAPFs), SSF, Rifleman (GD) in Assam Rifles and Sepoy in Narcotics Control Bureau, 2022;”

2. The case of the petitioners is that the respondents have measured the heights of the petitioners as 165.03 cms, 166 cms and 170 cms, respectively, as per Medical Certificates annexed as Annexure P-4 whereas in PST their heights were wrongly measured as 164.2 cms, 164.9 cms and 169 cms, respectively.
3. Since there is a dispute upon the height recorded by the respondents and in Annexure P-4, annexed with the present petition, in the interest of justice, we hereby direct the CMO, Delhi Government Ayush Dispensary, Delhi High Court to measure the height of the petitioners at 11 A.M on the date so given and send the report to the respondents within two weeks.
4. It is made clear that the report of the CMO, Delhi Government Ayush Dispensary, Delhi High Court shall be final and binding on the parties.
5. We hereby make it clear that if the petitioners are found fit, the respondents shall allow the petitioners to participate in further selection process.
6. In view of the above, the petition is accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

(TUSHAR RAO GEDELA)
JUDGE

MAY 15, 2023/rk