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

% **Date of decision: 29th May, 2023**

+ **W.P.(C) 7615/2023**

MUKESH KUMAR

..... Petitioner

Through: Mr. Kamlesh Kr. Mishra, Mr. Lal Babu Lalit, Ms. Renu, Ms. Shivani Verma, Mr. Kailash Jha & Ms. Anjani Mishra, Advocates.

versus

STAFF SELECTION COMMISSION AND ORS. Respondents

Through: Mr. T.P. Singh, Sr. Panel Counsel, Mr. Kushagar Kumar, Govt. Pleader, for UOI. Mr. Harender Kumar, SSB.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. *Vide* the present petition, the petitioner is seeking following reliefs:

“a.) Pass an order to quash the rejection slip dated 11.05.2023 in respect of Mukesh Kumar petitioner herein having roll no. 3206675647 issued by the respondent, whereby the candidature of the petitioner was 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).;

b.) Pass an order or direction to the respondents to re-conduct the PET/PST OF the petitioner preferably in some Government/Army Hospital and if found qualified, allow him 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);

c.). Pass an order or direction to the respondent to decide the



representation made by the petitioner dated 11.05.2023.”

2. The case of the petitioner is that the respondent No. 3 has measured the heights of the petitioner as 169.5 cms for the Recruitment Year 2022 for the Post of Constable (General Duty) in CAPFs, whereas according to the Annexure P-2 i.e., the Physical Standard Test (PST) and Physical Efficient Test (PET) Report for the Recruitment Year 2021 for the Post of Constable (General Duty) in CAPFs, the height recorded of the petitioner was 170 cms.
3. Since, there is a dispute in regard to the height recorded by the respondent No. 3 for the Recruitment Year 2021 (Annexure P-2) and for Recruitment Year 2022, in the interest of justice, we hereby direct the respondent No. 3 to re-measure the height of the petitioner at 11:00 A.M. on the date so given by it.
4. We hereby also make it clear as agreed by the counsel for the petitioner, on instructions, that the report of re-measurement of the height of the petitioner by the respondent No. 3 shall be final and binding.
5. It is further made clear that if the petitioner is found fit, the respondents shall allow the petitioner to participate in further selection process.
6. In view of the above, the petition is accordingly disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MAY 29, 2023
S.Sharma

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