

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

110

LPA-675-2023 (O&M)
Decided on 10.01.2024

Satpal Singh

... Appellant

Versus

State of Punjab and Others

... Respondents

CORAM: HON’BLE MS.JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON’BLE MR.JUSTICE AMAN CHAUDHARY

Present: Mr.Manu K. Bhandari, Advocate for the appellant

Ms.Lavanya Paul, DAG, Punjab

AMAN CHAUDHARY, J.

CM-1761-LPA-2023

For the reasons stated in the applications, delay of 89 days in
refiling the appeal is hereby condoned, subject to all just exceptions.

Application stands allowed, accordingly.

Main Appeal

1. Instant intra-court appeal, under Clause X of the Letters Patent has
been filed against the judgment dated 24.11.2022, vide which the civil writ
petition preferred by the appellant came to be dismissed.
2. Learned counsel for the appellant would contend that the learned
Single Judge has erred in dismissing the petition without taking into
consideration that his height having been found as 5.10 inches in the previous
process of selection conducted in the year 2010, should have been taken as
such, even in subsequent selection wherein the same was wrongly found to be

5.9 1/2 inches.

3. Learned State counsel, on the other hand, opposes the submissions stating therein that process of selection was conducted in the year 2011, the height measured in the previous selection could not make him eligible.
4. Heard learned counsel on either side.
5. The learned Single Judge has considered the matter in the right perspective, in which, it ought to have been taking into consideration the fact, that once the height of the appellant in two selection processes, wherein he had participated in the years 2011 and 2016, came to be measured as 5.9 ½ inches, which was less than the required, he could derive no benefit from the selection that had taken place in the year 2010, on the premise that his height when measured, was found to be 5.10 inches. Besides the aforesaid, it was too late in the day for the appellant to seek a writ of mandamus directing respondents to appoint him as Constable by filing a writ petition in the year 2016 regarding the selection process pertaining to 2011.
6. In view of the above, we find no illegality or perversity in the judgment passed by the learned Single Judge, which could warrant any interference. The appeal, therefore, fails and is accordingly dismissed.
7. Since the main appeal itself has been decided, no orders are required to be passed in CM-1762-LPA-2023.
8. Pending applications, if any, shall be rendered as disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

10.01.2024
gsv/ashok

Whether speaking / reasoned: YES / NO
Whether Reportable: YES / NO