



CWP-3274-2021

:1:

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-3274-2021 (O&M)
Date of decision : 06.05.2026

VIKAS SHARMA

..... Petitioner

VERSUS

HARYANA STAFF SELECTION COMMISSION

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present :- Mr. Munish Kumar Garg, Advocate and
Mr. Yuwan Singla, Advocate
for the petitioner.

Mr. Ravi Pratap Singh, DAG, Haryana.

Deepinder Singh Nalwa, J. (Oral)

1. In the present writ petition, the petitioner has challenged the order dated 21.12.2020 (Annexure P-13) vide which, the claim of the petitioner in regard to wrong recording of his height as 168 cms, during the Physical Measurement Test has been rejected.

2. Brief facts of the case are that the Haryana Staff Selection Commission (hereinafter referred to as 'the Commission') issued an advertisement in the year 2015 (Annexure P-1) for various posts of Constable. As per the above said advertisement, 5000 posts were advertised for Male Constable (General Duty). The petitioner belongs to the Economically Backward Persons in General Caste Category i.e. EBPGC. In

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pursuance to the above said advertisement, the petitioner applied under the EBPGC category vide application form dated 27.09.2015 (Annexure P-2). The petitioner duly participated and qualified the Physical Screening Test (PST), the Knowledge Test (KT) and written examination. Thereafter, the petitioner was called for the Physical Measurement Test on 26.10.2016. The height of the petitioner was assessed/recorded by the Commission as 168 cms. As the petitioner did not possess the minimum requisite height of 169 cms as per the rules/advertisement, the case of the petitioner was not considered for appointment on the post of Male Constable (General Duty). The result was declared by the respondent. In the result, the petitioner was shown as “not qualified” in the Physical Measurement Test (Annexure P-5). Consequently, the petitioner filed a representation dated 16.10.2020 (Annexure P-9) to the respondent-Commission for considering his candidature against the said post. It transpires that no decision was taken by the respondent-Commission on the representation filed by the petitioner.

3. Aggrieved against the action of the respondents in not considering the case of petitioner for appointment on the post of Male Constable (General Duty) by treating him as not qualified, the petitioner filed a writ petition in this Court, being CWP No.18210 of 2020. The above said writ petition was disposed of vide order dated 02.11.2020 (Annexure P-11) with a direction to the respondent to decide the representation submitted by the petitioner within a period of one month by passing a detailed speaking order.

4. In compliance with the above said order passed by this Court on 02.11.2020 (Annexure P-11), the respondent-Commission passed an order

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dated 21.12.2020 (Annexure P-13) whereby, the claim of the petitioner for consideration for appointment on the post of Male Constable (General Duty), was rejected on the ground that the petitioner does not possess the requisite height as required, as per the rules. Aggrieved against the order dated 21.12.2020 (Annexure P-13), the petitioner has filed the present writ petition.

5. The only contention raised by learned counsel appearing on behalf of the petitioner is that the petitioner also participated in the recruitment process conducted by UT Chandigarh for the purpose of appointment on the post of Constable in the year 2014. As per the petitioner, his height in the above said selection process was assessed as 170 cms (Annexure P-14) by the Competent Authority.

6. Learned counsel appearing on behalf of petitioner submits that the height of a person, once recorded, cannot reduce. Therefore, the height recorded in the recruitment process conducted by the UT Chandigarh for the purpose of appointment on the post of Constable in the year 2014 should be taken into consideration for the present recruitment process in pursuant to the advertisement issued in the year 2015 (Annexure P-1) by the respondents.

7. Learned counsel appearing on behalf of respondent submits that the Physical Measurement Test was held by the respondents on 26.10.2016. He submits that if the petitioner was not satisfied with the height recorded by the respondent, the petitioner had liberty to file an objection in terms of the instructions issued by the respondent-Commission. Learned counsel further submits that in fact the petitioner had also given an undertaking,

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wherein, he had accepted the height as recorded by the respondent-Commission which is attached as Annexure R-1/1. He further submits that as no objection was raised by the petitioner at the time of Physical Measurement Test and had also given an undertaking in regard to the satisfaction with the measurement of height recorded by the respondent-Commission, as such, the petitioner has rightly been held as not qualified by the respondent.

8. After hearing the learned counsel for the parties at some length, a perusal of the facts of the present case would show that Physical Measurement Test was conducted by the respondent-Commission on 26.10.2016, wherein the height of the petitioner was recorded as 168 cms by the respondent-Commission. It is undisputed that the minimum prescribed height for eligibility to the post of Male Constable (General Duty) as per the rules is 169 cms. It is also not in dispute that the petitioner did not raise any objection at the time of measurement and in fact, furnished an undertaking (Annexure R-1/1) accepting the measurement of height recorded as 168 cms by respondent-Commission.

9. In regard to the contention raised by learned counsel appearing on behalf of the petitioner that the height recorded during the earlier recruitment process for the post of Constable conducted in the year 2014 by the UT Administration, wherein, the height of the petitioner was recorded as 170 cms, be taken into consideration is concerned, it is well settled law that the measurements at the time of selection is to be taken into consideration for the purpose of appointment. Any measurement recorded in any prior or subsequent selection process cannot be taken into consideration for the



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purpose of current recruitment. There is no allegation of mala fide alleged by the petitioner in the present writ petition.

10. In view of above, this Court finds no merit in the writ petition and accordingly, the same is dismissed.

11. Pending application(s), if any, shall also stand(s) disposed of accordingly.

(DEEPINDER SINGH NALWA)
JUDGE

06.05.2026
Rimpal

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No