



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.205

CWP-16313-2001 (O&M)

Date of decision: 25.03.2026

Rajesh Kumar

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Manoj Chahal, Advocate, for the petitioner.

Mr. Gaurav Jindal, Addl. AG, Haryana.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner has challenged the impugned order dated 30.10.2000 (Annexure P-4) passed by respondent No.3, vide which, the appeal/representation filed by the petitioner has been rejected. The petitioner has further prayed for issuance of direction to the respondents to appoint him as Constable from the date, candidates lower in merit, have been appointed along with all consequential benefits.

2. The brief facts of the case are that the Department of Police, Haryana, advertised various posts of Constables for District Fatehabad.

As per the advertisement, out of 80 posts, 40 posts were reserved for



General Category. The petitioner applied for the post of Constable in District Fatehabad in the month of August, 2000. The petitioner appeared for physical screening test on 29.08.2000 and was declared successful. The petitioner was interviewed and the result was declared by the respondents, wherein, the petitioner's name figured in the final selection list (Annexure P-1) at Sr. No.37 out of 40 posts reserved for the General (open) Category. In spite of the fact that the petitioner's name figured in the final select list (Annexure P-1), the petitioner was not sent for medical examination for the purpose of appointment to the post of Constable on the ground that his chest measurements were below the prescribed standard for recruitment as Constable. Thereafter, the petitioner filed a representation dated 20.11.2000 (Annexure P-2) to the Inspector General of Police, Hisar Range, Hisar. The petitioner also personally met the Director General of Police, Haryana. Thereafter, the petitioner again visited the office of the Inspector General of Police, Hisar Range, Hisar. As per the petitioner, he was re-examined by the Inspector General of Police on 12.01.2001 and was informed that the measurements of the chest of the petitioner were as per the prescribed standard for recruitment as Constable, however, it was informed that the batch was already sent for training. The petitioner also submitted an application (Annexure P-3) before the Medical Officer, CHC, Bhattu Kalan, District Fatehabad for the purpose of measurements of his chest. As per the report of the Medical Officer, the petitioner's chest measurements were found to be as



per the prescribed standard for recruitment as Constable. As, no action was taken by the respondents in considering the case of the petitioner for appointment to the post of Constable, the petitioner filed Civil Writ Petition No.4481 of 2001 before this Court, wherein, it was prayed that the appeal/representation dated 20.11.2000 filed by the petitioner be decided in a time bound manner and to consider the case of the petitioner for appointment to the post of Constable. The abovesaid writ petition was disposed of vide order dated 26.03.2001 passed by this Court with a direction to the respondents to consider and decide the appeal/representation of the petitioner by passing a speaking order within a period of one month from the date of the receipt of a certified copy of the said order. As the respondents did not comply with the abovesaid order dated 26.03.2001 passed by this Court, the petitioner filed a Contempt Petition No.719 of 2001. During the pendency of the contempt petition, it was informed by the respondents that respondents have already passed an order dated 30.10.2000 (Annexure P-4), whereby, the claim of the petitioner for consideration for appointment on the post of post of Constable was rejected. As such, the abovesaid contempt petition was dismissed on 14.09.2001 as the directions given by this Court were complied with. Aggrieved against the order dated 30.10.2000 (Annexure P-4) vide which claim of the petitioner for consideration for appointment to the post of Constable was rejected, the petitioner has filed the present writ petition.



3. Learned counsel appearing on behalf of the petitioner submits that once, the petitioner was selected, there was no reason to recheck the chest measurements of the petitioner. As such, the claim of the petitioner for appointment to the post of Constable could not have been rejected. It is further submitted that a perusal of Annexure P-3 would show that the petitioner's chest measurements were found to be as per the prescribed standard for recruitment and as such, the petitioner is entitled to be considered for appointment to the post of Constable.

4. On the other hand, learned counsel appearing on behalf of the respondents-State submits that after the petitioner was selected, the competent authority re-checked the chest measurements of the petitioner and other selected candidates with and without expiration of chest and it was found that the petitioner's chest measurements were below than the prescribed standard for the recruitment. He submits that as such, the case of the petitioner has rightly not been considered for appointment to the post of Constable.

5. I have heard the learned counsel appearing on behalf of the parties at some length and have perused the record with their able assistance.

6. A perusal of the facts of the present case would show that although the petitioner duly appeared in the physical screening test and was interviewed and thereafter, the name of the petitioner was at Sr.



No.37 in the final select list. However, before the final selection, the competent authority re-checked the chest measurements of the petitioner and found that the chest measurements of the petitioner were below the prescribed standard for the purpose of recruitment as Constable as per the rules. In regard to contention raised by the learned counsel appearing on behalf of the petitioner that once the petitioner was selected, there was no reason to re-check the chest measurements of the petitioner is concerned, there is no bar under the law that after the final selection, the competent authority cannot re-check the chest measurements of the petitioner or other candidates for the purpose of appointment to the post of Constable. As far as reliance made by the learned counsel appearing on behalf of the petitioner to Annexure P-3 is concerned, a perusal of Annexure P-3 would show that the abovesaid report of the Medical Officer, CHC, Bhattu Kalan, Fatehabad has been issued on 5.3.2001, whereas, the selection process was completed in the year 2000. As such, the abovesaid report of the Medical Officer cannot be taken into consideration after the selection process was over. There is no allegation of *mala fide* alleged by the petitioner in the petition. Even otherwise also, all the appointments have been made and no selected/appointed candidates have been arrayed as a party in the present writ petition.

7. Taking into consideration the abovesaid facts, this Court finds no merit in the present writ petition and the same is hereby dismissed.



8. Pending miscellaneous application(s), if any, also stands disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

25.03.2026
Ramandeep Singh

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