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

**CWP-7280-2019(O&M)
Date of decision : 30.04.2026**

Rajesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH
NALWA**

Present: Mr. Manoj K. Tanwar, Advocate for the petitioner.

Mr. Chirag Wadhwa, DAG, Haryana.

DEEPINDER SINGH NALWA, J. (Oral)

In the present writ petition, the petitioner is praying for issuance of a writ in the nature of Certiorari for setting aside the Physical Measurement Test Report dated 17.02.2019 (Annexure P-4), whereby the petitioner was declared not qualified for the post of Male Constable (GD) on the ground that he did not meet the minimum height requirement prescribed under the rules.

2. A short reply dated 03.03.2020 by Rajeev Dudeja, Secretary (Legal), Haryana Staff Selection Commission, Panchkula (hereinafter referred to as 'the Commission'), on behalf of respondent No.2, has been filed in Court today, which is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

3. The brief facts of the case are that respondent No.2 issued an advertisement dated 16.04.2018 (Annexure P-1) inviting applications for appointment on the post of Male Constable (GD). In



response thereto, the petitioner applied for the said post under the Ex-serviceman General Category (ESM GEN). Pursuant to application submitted by the petitioner, the petitioner was called for the Physical Measurement Test (PMT) on 17.02.2019. As per the relevant rules, the minimum height required for eligibility to the post of Male Constable (GD) is 170 cm. During the Physical Measurement Test held on 17.02.2019, the petitioner's height was measured as 168.8 cm. In view of above, the petitioner was declared ineligible (Annexure P-4) for appointment on the said post. The Physical Measurement Test Report is attached as Annexure P-4. Aggrieved by the abovesaid test report (Annexure P-4), the petitioner has approached this Court by way of the present writ petition.

4. Learned counsel appearing for the petitioner submits that as per the discharge book issued by the Army Authority in the year 2018 (Annexure P-5), the petitioner's height was recorded as 170 cm at the time of his retirement. Relying on the said discharge book, he submits that the measurement recorded by the respondent-Commission, i.e., 168.8 cm, cannot be accepted, as such, the case of the petitioner be considered for appointment on the post of Male Constable (GD).

5. On the other hand, learned State counsel submits that the Physical Measurement Test was duly conducted on 17.02.2019, wherein the height of the petitioner was assessed/recorded as 168.8 cm. He submits that as per the relevant rules, in order to be eligible for appointment on the post of Male Constable (GD), minimum height of 170 cm is required. He further submits that the petitioner did not raise



any objection at the time of measurement and in fact, furnished an undertaking acknowledging the correctness of the measurement and expressing his satisfaction with the same. As such, the petitioner was rightly declared ineligible to be considered for appointment on the post of Male Constable (GD).

6. I have heard learned counsel for the parties at length and perused the record.

7. A perusal of the facts of the present case would show that it is an admitted fact that during the Physical Measurement Test conducted on 17.02.2019, the petitioner's height was recorded as 168.8 cm, which falls short of the prescribed minimum height of 170 cm. It is also not in dispute that the petitioner did not raise any objection at the time of measurement and had given an undertaking accepting the measurement as correct. In regard to the contention raised by learned counsel appearing for the petitioner that as per the discharge book issued by the Army Authority in the year 2018 (Annexure P-5), as the height of the petitioner has been assessed as 170 cm, as such, the same should be considered as correct height i.e. 170 cm and as such, the petitioner is entitled to be considered for appointment on the post of Constable. In regard to the abovesaid contention, is concerned, it is well settled that the assessment of height taken at the time of selection process is to be taken into consideration for the purpose of selection. Since at the time of Physical Measurement Test, the height of the petitioner was recorded as 168.8 cm which was less than the prescribed height of 170 cm, as such, the discharge book (Annexure P-5) issued by



the Army Authority in the year 2018 cannot be taken into consideration for the purpose of selection/appointment in the case of petitioner. Even otherwise also, it has been brought to the notice of this Court that the selection process initiated in pursuance to the advertisement dated 16.04.2018 (Annexure P-1) has already been concluded and appointments have been made.

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

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

30.04.2026	(DEEPINDER SINGH NALWA)	
<i>d.gulati</i>	JUDGE	
Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No