



LPA-1121-2026 (O&M)

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

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LPA-1121-2026 (O&M)

Date of decision: 14.05.2026

State of Punjab and Ors.

...Appellants

Versus

Aasma Grover and Anr.

...Respondents

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Ms. Arundhati Kulshreshtha, AAG, Punjab for the appellants.

Mr. P.P.S.Thethi, Advocate for respondent No.1.

JASGURPREET SINGH PURI, J. (ORAL)**CM-2733-2026**

Present is an application filed under Section 5 of the Limitation Act read with Section 151 CPC seeking condonation of delay of 132 days in filing the appeal.

Ms. Arundhati Kulshreshtha, AAG, Punjab, while referring to the application filed, submitted that the aforesaid delay of 132 days was caused because some time was consumed in obtaining legal opinion and, thereafter, after the draft of Letters Patent Appeal was approved by the competent authority, further time was consumed for vetting purposes in the office of the A.G., Punjab. She submitted that there was no intentional delay and that the delay had been caused only on account of the aforesaid reasons.



On advance notice, Mr. P.P.S. Thethi, Advocate, has appeared on behalf of respondent No.1 and submits that he has no objection in case the delay is condoned for the aforesaid reasons.

In our considered view, although the aforesaid grounds may not strictly constitute sufficient cause under the provisions of Section 5 of the Limitation Act, yet, considering the submissions made by learned counsel for the parties, we deem it fit and proper to condone the delay. Consequently, the present application is allowed and the delay of 132 days in filing the appeal is hereby condoned.

Main case

1. Present intra-court appeal is filed by the appellants assailing the impugned judgment dated 07.11.2025 passed by learned Single Judge in CWP No.8792 of 2025 whereby the writ petition filed by respondent No.1 under Article 226 of the Constitution of India was disposed of by issuing directions.

2. The short controversy involved in the present case is that respondent No.1 had applied for the post of Deputy Superintendent of Police pursuant to Advertisement No.14/2020. One part of the selection criteria was stipulated in Clause 8.2 of the aforesaid advertisement, which was appended with the writ petition as Annexure P-1. The aforesaid criteria was with regard to passing of some physical test. Clause 8.2, which prescribes the physical test qualifications for both male and female candidates, is reproduced as under:-

8.2 *Besides the above requirement, the candidates have to qualify the Physical Test for the post of Deputy*

*Superintendent Police and Deputy Superintendent of Jails
(Grade-II)/District Probation Officer (Jails).*

Sr. No.	Events for Male Candidates	Events for Female Candidates
1.	1600 meters race: To be completed within 07 minutes 30 seconds (only one attempt)	800 meters race: To be completed within 04 minutes 45 seconds (only one attempt)
2.	Long Jump: Minimum 3.60 meters (Three attempts only)	Long Jump: Minimum 3.00 meters (Three attempts only)
3.	High Jump: Minimum 1.15 meters (Three attempts only)	High Jump: Minimum 1.00 meter (Three attempts only)
4.	Vertical Rpe: 2.0 Meters climb from the ground (Three attempts only)	Shuttle: Running between two parallel lines 10 meter apart, five times in 20 seconds (one attempt only)

3. As per the aforesaid criteria for female candidates (respondent No.1 being female), it was provided that the candidates had to qualify the physical test for the post. They were mandatorily required to qualify the physical test mentioned at serial No.1, namely, the 800 meters race, to be completed within 04 minutes 45 seconds (only one attempt). In addition to the above, the candidates also had to qualify two physical tests out of the remaining three mentioned at serial Nos. 2, 3 & 4.

4. It is not in dispute that respondent No.1 cleared the mandatory test incorporated at serial No.1. The dispute pertains only to qualifying two tests out of the remaining three tests enumerated at serial Nos.2, 3 & 4. It was the case of the State that respondent No.1, who was the candidate, could not clear the high jump test enumerated at serial No.3. Thereafter, she attempted the test at serial No.2, namely, Long Jump. In the long jump event, there were 03 attempts available and any



one attempt could have cleared the aforesaid test of Long Jump.

5. It was the case of the appellant-State that since respondent No.1 has not cleared high jump at serial No.3 and thereafter also did not clear long jump at serial No.2, she was disqualified whereas it was the case of respondent No.1 that even if, the respondent No.1 had not cleared the high jump at serial No.3 but she has cleared long jump at serial No.2 and thereafter, her entitlement was to now exhaust the 2nd option which is at serial No.4 as to complete the mandatory requirement incorporated in Clause 8.2 of the advertisement.

6. The respondent No.1 earlier filed a writ petition bearing CWP No.14317 of 2021 which was her first round of litigation and this writ petition was disposed of on 23.08.2024 in which the aforesaid issues of both the counsel for the parties were discussed as to whether the respondent No.1 had cleared the long jump at serial No.2 or not and it was observed by the learned Single Judge in the aforesaid earlier writ petition that the petition involves a disputed question of fact. However, at the same time, on the basis of submissions made by learned counsel for the respondent No.1 in that writ petition that once there is a video footage of the physical test conducted, which was relied upon by the State, then the petitioner in that case i.e. respondent No.1 herein will be satisfied in case a Senior Officer of the Police Department is requested to adjudicate as to whether, on the basis of the video footage of the physical test, the petitioner had cleared the physical test or not and in case, the said Officer comes to the conclusion that the petitioner is 'Fail' in the physical test, the petitioner will not agitate the claim any further and in this way a



request was made by learned Single Judge in that case to the Director General of Police, Punjab to designate an Officer not below the rank of Additional Director General of Police to go through the video clip of the physical test of the petitioner and make a report. In case, as per the report, the petitioner had cleared the long jump, then appropriate decision with regard to the claim of the petitioner be taken by the State authorities and in case, the officer concerned comes to the conclusion that the petitioner has failed in the event of long jump, then no further proceedings will be undertaken in this regard. The aforesaid order passed by the learned Single Judge in the aforesaid earlier writ petition is reproduced as under:-

“1. In the present petition, the grievance of the petitioner is that she has wrongly been declared as ‘Not Qualified’ in the physical test, which was conducted for selection/appointment to the post of Deputy Superintendent of Police in pursuance to the Advertisement (Annexure P-1) issued in the year 2020.

2. Learned senior counsel appearing on behalf of the petitioner contends that as per the petitioner, she has cleared the physical test but has wrongly been declared ‘Fail’ in the long jump event during the physical test. Learned senior counsel submits that as per the video recording of the physical test provided to the petitioner, the petitioner has got certain photographs clicked from the said video recording to show that the petitioner has cleared the long jump.



3. *Learned counsel for the respondents, on the other hand, submits that the petitioner's contention that she has cleared the physical test in the event of long jump is incorrect as, from the video clip of the said test available with the State, it is clear that the petitioner failed to clear the long jump event, hence, the petitioner has rightly been rejected to proceed further so as to compete for selection to the post of Deputy Superintendent of Police in pursuance to the Advertisement (Annexure P-1) issued in the year 2020.*

4. *Learned counsel for the respondents further submits that there is no authenticity of the photographs, which are being relied upon by the petitioner so as to claim that she has cleared even the event of long jump while undergoing the physical test required to be cleared for the post of Deputy Superintendent of Police.*

5. *I have heard learned counsel for the parties and have gone through the record with their able assistance.*

6. *The present petition involves a disputed question of fact. The claim of the petitioner is that she has cleared the physical test including the long jump event, which is being rebutted by the State on the basis of a video footage of the physical test recorded at the time when the said test was conducted. This Court will not have the jurisdiction to assess as to whether the petitioner is correct or the respondents are correct.*



7. *At this stage, learned senior counsel appearing on behalf of the petitioner submits that once there is a video footage of the physical test conducted, which is being relied by the State only, the petitioner will be satisfied in case a Senior Officer of the Police Department is requested to adjudicate as to whether, on the basis of the video footage of the physical test, the petitioner has cleared the physical test or not and in case, the said Officer comes to the conclusion that the petitioner is 'Fail' in the physical test, the petitioner will not agitate the claim any further.*

8. *Learned counsel for the State raises no objection for the same.*

9. *The Director General of Police, Punjab is requested to designate an Officer not below the rank of Additional Director General of Police to go through the video clip of the physical test of the petitioner and make a report. In case, as per the report, the petitioner has cleared the long jump, appropriate decision with regard to the claim of the petitioner be taken by the respondent authorities and in case, the Officer concerned comes to the conclusion that the petitioner has failed in the event of long jump, no further proceedings are required to be undertaken in that regard.*

10. *Let said process be completed within a period of three months of the receipt of copy of this order.*

xxx

xxx

xxx.”



7. Thereafter, the State complied with the orders and the matter was referred to the Additional Director General of Police, NRI Affairs Wing, Punjab who examined the video footage and formulated a report. The aforesaid report dated 21.10.2024 of the Additional Director General of Police, NRI Affairs Wing, Punjab was attached with the second writ petition which is the subject matter of the present Letters Patent Appeal vide Annexure P-8 (Annexure P-15 with the writ petition). The conclusion was drawn by the Additional Director General of Police, NRI Affairs Wing, Punjab is reproduced as under:-

“Conclusion:

From the above analysis, the following conclusions can be arrived at:

- (a) In the 1st Attempt in the Long Jump event, petitioner Aasma Grover has not cleared the 3-meter line. It can conclusively be said that she did not qualify this attempt.*
- (b) In the 2nd Attempt in the Long Jump event, petitioner Aasma Grover appears to have cleared the 3-meter line, but the officials on the spot appear to be indicating that she has over-stepped the Take-off Line. From analysis of the video recording of the Take-off, it cannot be conclusively said whether she has overstepped the Take-off Line or not, but it can be clearly seen that the front of her shoes is extremely close to the Take-off Line. However, the officials present are seen to be pointing towards the Take-off Line being over*



stepped in the video, from which only inference can be drawn.

- (c) *In the 3rd Attempt in the Long Jump Event, petitioner Aasma Grover has clearly crossed the 3-meter line. However, due to nonavailability of recording of the take-off for this attempt, no comments can be made whether she had over-stepped the Take-off Line or not. Therefore, nothing conclusive can be said about this attempt qua overstepping of Takeoff Line from the video recording. However, the officials are clearly seen to be pointing towards the Take-off-Line from which it can only be inferred that she had been informed that she over-stepped the line.”*

8. A perusal of the entire report would show that detailed examination was made by the Additional Director General of Police, NRI Affairs Wing, Punjab on the basis of video recording, statements of the parties, various diagrams etc. and thereafter, a conclusion was arrived at by the Additional Director General of Police, NRI Affairs Wing, Punjab as aforesaid.

9. A perusal of the aforesaid would show that all the three attempts were analyzed in detailed manner and it was concluded that so far as the first attempt is concerned, the respondent No.1 did not clear the 3-meter line which was conclusive in the report. So far as the second attempt was concerned, it was so concluded that respondent No.1 appears to have cleared 3-meter line but the officials on the spot appear to be pointing out that she has over-stepped the Take-off Line and therefore, it



was so opined from the analysis of the video recording that it cannot be conclusively said whether she has over-stepped the Take-off Line or not, but it can be clearly seen that the front of her shoes is extremely close to the Take-off Line and the officials present were also seen to be pointing out towards the Take-off Line being over stepped in the video, from which only inference can be drawn. In this way, so far as second attempt is concerned, it remained inconclusive but definitely it was an opinion of the Additional Director General of Police, NRI Affairs Wing, Punjab in the opening line of (b) above that respondent No.1 appears to have cleared the 3-meter line. So far as third attempt is concerned, it was so opined that respondent No.1 had clearly crossed the 3-meter line but due to non-availability of video recording of the Take-off Line for this attempt, no comment can be made with regard to over-stepping etc. and therefore it can be inferred that she had been informed that she over-stepped the line because of pointing out by the officers present there. In this way although the report with regard to attempt No.2 & 3 was stated to be inconclusive but definitely observations were made by the Additional Director General of Police, NRI Affairs Wing, Punjab that it appeared that she had cleared but because of the actions of the officials present there who were pointing out at the line only inference could have been drawn that she had not cleared.

10. The aforesaid report of the Additional Director General of Police, NRI Affairs Wing, Punjab is required to be considered along with another observation made by the Additional Director General of Police, NRI Affairs Wing, Punjab in para No.14 which is reproduced as under:-



“14. From the video-recordings, it is clear that the Takeoff Board is a faded white board made of wood and sunk in the ground. The size of the same could not be ascertained. Hence, it cannot be said whether its size was as per prescribed standards of IAAF or World Athletics. However, what is absolutely clear is that during the attempts of the petitioner, there was no marking ahead of the Take-off Line. Examination of other videos of the long jump event during preparation of the ground showed that a white-powder marking had been put abutting the Take-off Line initially (F/R). However, due to a short spell of rain, It got washed away and same was not put back again. Therefore, in summation, it can be said that there was no white powder line/markup right next to the Take-off Line. This is amply clear from the video recording and screen shorts.”

11. As per the aforesaid, it was so observed by the Additional Director General of Police, NRI Affairs Wing, Punjab that from the video recording it is clear that Take-off Board is a faded white board made of wood and sunk in the ground and the size of the same could not be ascertained and therefore, the size and the prescribed standards of IAAF or World Athletics could not be served. More importantly, it was thereafter so recorded by the Additional Director General of Police, NRI Affairs Wing, Punjab that what is absolutely clear during the attempts of the petitioner that there was no marking ahead of the Take-off Line and that the examination of other videos of the long jump event during



preparation of the ground showed that a white-powder marking had been put abutting the Take-off Line initially (F/R). However, due to a short spell of rain, it got washed away and same was not put back again. It was summed up by the Additional Director General of Police, NRI Affairs Wing, Punjab that it can be said that there was no white powder line/markup right next to the Take-off Line and it is amply clear from the video recording.

12. In this way since the 3-meter jump was to be ascertained from the line which was initially marked up but was not present because of short spell of rain, the same being faded no presumption could have been drawn against respondent No.1. Once it has come on record by the report of the Additional Director General of Police, NRI Affairs Wing, Punjab that the basic line from which the distance was to be calculated was faded, then it is not understandable as to how the appellant-State had disqualified respondent No.1. It was therefore, purely on the basis of conjectures and surmises to the disadvantage of the respondent No.1.

12. The learned Single Judge while dealing with the aforesaid issue and while referring to the aforesaid report of the Additional Director General of Police, NRI Affairs Wing, Punjab came to the conclusion by observing that it cannot be concluded that petitioner has not cleared long jump in two attempts out of three. In this way respondent No.1 was therefore required to go to serial No.4 which was the Shuttle race for which opportunity was granted to do so.

13. The argument which was raised by learned AAG, Punjab before this Court was that in the absence of any conclusive report from



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the Additional Director General of Police, NRI Affairs Wing, Punjab no such benefit could be granted. The aforesaid arguments are misconceived and unsustainable. It was not the fault of respondent No.1 but rather it is the report of the Additional Director General of Police, NRI Affairs Wing, Punjab given in pursuance of the orders passed by this Court which remained inconclusive.

14. On a query being raised to learned State counsel during the course of hearing today, as to whether there was any audio recording bearing any objection made by authorities present at the event to which she submitted on instructions that no such audio recording was available but video recording was available on the basis of which the Additional Director General of Police, NRI Affairs Wing, Punjab had given report.

15. In view of the aforesaid facts and circumstances, we are of the considered view, that there is no ground available with the appellant-State for seeking any intervention in the present Letters Patent Appeal. Consequently, finding no merit, the same is hereby dismissed.

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

(JASGURPREET SINGH PURI)
JUDGE

14.05.2026

Sunil Devi

(AMARJOT BHATTI)
JUDGE

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