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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-19480-2015
Date of Decision: 03.02.2026

Seema Rani

…Petitioner

Versus

State of Haryana And Others …Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL.

Present:- Mr. Rajiv Sharma (Hisarwale), Advocate with
Mr. Shubham Chauhan, Advocate,
Ms. Indubala Sharma, Advocate and
Mr. Amrit Kashyap, Advocate for petitioner

Mr. Akshit Pathania, AAG, Haryana

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JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to promote her as Head Constable w.e.f. 28.12.2014 and refix her seniority from the said date.

2. The petitioner was recruited as Constable in Haryana Police on 07.03.2007. She in 2014 participated in Lower School Course competition conducted by respondent under 55% quota. She scored 55 out of 60 marks in the written test. She stood first in the written test. As per procedure prescribed under Rule 13.7 of Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short 'PPR'), she participated in the second stage test i.e. parade test. As per Rule 13.7(3) of PPR, she was supposed to secure at least 50% marks in parade test. She scored 7.5 out of 20 marks, thus, she was not called for interview. It is apt to notice here that 86 lady constables appeared in online B-1 test held on 27.12.2014 and 30 qualified the same. Out of aforesaid

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30 Constables, 22 could qualify parade test and 7 were finally selected for Lower School Course.

3. Learned counsel for the petitioner submits that out of selected candidates, there were two Constables who were pregnant at the time of parade test. Their pregnancy was at advance stage, thus, it was impossible for them to participate in the parade test. Nevertheless, they were shown as having participated and were awarded requisite marks. The petitioner repeatedly requested for copy of video prepared at the time of parade test. She was not supplied copy of video because it would have exposed that private respondents even did not participate in the parade test still were awarded requisite marks and were finally selected. Discrimination is writ large. The petitioner again participated in the competition held in 2017. She again topped in the written test and was finally selected in Lower School Course. These facts collectively indicate that petitioner was discriminated and undue advantage was given to private respondents.

4. *Per contra*, learned State counsel submits that petitioner scored 7.5 marks in parade test whereas she was required to score at least 10 marks for further step i.e. interview. As she did not qualify parade test, she was not called for interview. The private respondents scored 12 marks each in parade test, thus, they were called for interview and were finally selected.

5. On being pointed out, contents of affidavit dated 25.04.2025 of Deputy Commissioner of Police, Gurugram, learned State counsel expressed his inability to controvert that at the time of parade test, respondent No.5 was six months and nine days pregnant and respondent No.6 was four months and ten days pregnant.

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6. Heard the arguments and perused the record.

7. The petitioner is claiming that she was topper in the written test, thus, was wrongly declared fail in the parade test. She is alleging that respondent Nos.5 & 6 could not participate in the parade test because they were pregnant and their pregnancy was at advance stage. There was no question for them to participate in the 1500 meter race.

8. From the perusal of marks awarded to respondent Nos.5 & 6 as well as petitioner, it comes out that zero mark was awarded to petitioner as well as private respondents in 1500 meter race. The private respondents were awarded higher marks in turn out, personal performance in rifle exercise, personal performance in squad drill and word of command than petitioner. The petitioner was awarded 7.5 marks out of total 20 whereas private respondents were awarded 12 marks each. The private respondents were not awarded marks in 1500 meter race, thus, this Court at this stage cannot conclude that private respondents did not participate in the parade test. Had marks been awarded in race, it was possible to draw inference that they were awarded marks without participation.

9. The petitioner is claiming that entire event was videographed. Neither petitioner nor respondent has placed on record said video of the event. In the absence of video, this Court cannot conclude that petitioner despite best performance was intentionally awarded marks less than qualifying or private respondents were awarded marks without participation. A candidate merely on the ground that he or she has scored maximum marks in written test cannot claim that he or she should be awarded minimum qualifying or maximum marks in the practical test. The performance in written test is always different from performance in practical/physical test. This Court cannot conclude that

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petitioner despite her performance was awarded marks less than her entitlement, however, video needs to be examined by some higher officer to ascertain whether private respondents participated in the selection process or not. The authority further needs to examine whether petitioner was intentionally awarded lower marks than qualifying marks.

10. In the wake of above discussion and findings, the petition stands disposed of with a direction to Director General of Police to look into the matter and find out whether parade test event was videographed or not. If it is found that event was videographed, then re-examine the matter and ascertain whether private respondents participated in the parade test or not and whether petitioner was intentionally awarded lesser marks than her entitlement. As per the outcome of scrutiny of video, further action shall be taken by DGP. Let the needful be done within three months from today.

(JAGMOHAN BANSAL)
JUDGE

03.02.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

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