



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

**CWP-18109-2026 (O&M)
Date of Decision:29.05.2026**

HARIOM VATS

.....PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Dr. Purushotam Gaur, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The petitioner before this Court is an ex-serviceman. He is aggrieved by the amendment notified on 09.03.2018 in the Haryana Police (Non-Gazetted and Other Ranks) Service Rules, 2017, whereby the physical parameters for candidates have been specified. The minimum height required for a candidate, as amended in the Rules, is 170 cm for a General Category candidate, whereas the height of the petitioner is 168 cm.

2. Learned counsel for the petitioner states that notwithstanding such stipulation in the Rules, the authorities had in the past allowed relaxation to similarly placed persons in earlier recruitments, and such benefit is not being extended to the petitioner.

3. Undisputedly, the Rules prescribe the physical parameters required for a candidate. The law is settled that it is for the employer to consider what would be the appropriate physical attributes required for a

candidate to serve on a particular post. Such right of the employer is not to be questioned, and no perversity has otherwise been shown. We, therefore, do not find any occasion to interfere in the matter when it is found that the physical parameters of the petitioner fall short of the requirement under the Rules and the advertisement.

4. Even if some departure in respect of a candidate had been made earlier in the year 2024, it would not constitute any basis for the petitioner’s claim, since the law is well-settled that equality is a positive concept and no negative equality can be claimed.

5. The instant writ petition is accordingly ***dismissed***.

6. All pending miscellaneous application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MAY 29, 2026
Rahul Joshi

- | | |
|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |