

(2025) 11 P&H CK 1935
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 8792 Of 2025

Aasma Grover

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 07-11-2025

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2025) 11 P&H CK 1935

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : P.P.S.Thethi, Puru Jarewal

Final Decision : Disposed Of

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside result of physical test (Annexure P-9) held for the post of Deputy Superintendent of Police in pursuance of Advertisement No. 14/2020. She is further seeking direction to respondent to conduct Shuttle Race i.e. third event.

2. This is second round of litigation. On the earlier occasion, petitioner preferred CWP No. 14317 of 2021 which was disposed of by this Court vide order dated 23.08.2024. The order dated 23.08.2024 reads as:-

"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.

3. In compliance of the aforesaid order, the respondent referred the matter to Additional Director General of Police. NRI Affairs Wing, Punjab who examined video of the event and submitted report dated 21.10.2024. The report reads as:-

"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 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. 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 non-availability 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 Take-off 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."

4. Learned counsel for the petitioner submits that in view of afore-stated conclusion, it cannot be concluded that petitioner could not clear long jump event in two attempts out of three.

5. Per contra, learned State counsel submits that report does not indicate that petitioner has actually cleared Long Jump event.

6. I have heard learned counsel for the parties and perused the record with their able assistance.

7. From the perusal of paragraph 14 of the report, it is evident that Additional Director General of Police has found that there was no marking ahead of Take-off Line. Due to short spell of rain, it washed away and same was not put back again, thus, it can be said that there was no white powder line/markup right next to the Take-off Line. Paragraph 14 of the report reads as:-

"14. From the video-recordings, it is clear that the Take-off 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.”

8. In the wake of above-cited report, this Court is of the considered opinion that it cannot be concluded that petitioner had not cleared Long Jump event in two attempts out of three. She had cleared written as well as other tests. The respondent should grant her opportunity to undergo Shuttle Race i.e. third event. If she successfully clears third event, it would be assumed that she has qualified physical test.

9. Petition stands disposed of in above terms.

10. Let the needful be done within two months from today.