

(2023) 05 DEL CK 0222

In the Delhi High Court

Case No : Civil Writ Petition No. 7450 Of 2023, Civil Miscellaneous Application
No. 28960 Of 2023

Mangal Singh And Anr

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 26-05-2023

Acts Referred:

Citation : (2023) 05 DEL CK 0222

Hon'ble Judges : Suresh Kumar Kait, J; Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Amit Kaushik, Virendra Pratap Singh Charak, Ravindra Vikram,
Shubra Parashar, Sahil Kapoor, Harjot, V.K. Singh

Final Decision : Disposed Of

Judgement

CM APPL. 28961/2023 (Exemption)

1. Allowed, subject to all just exceptions.

2. The application is disposed of.

W.P.(C) 7450/2023

2. Vide the present petition, the petitioners are seeking following reliefs:

"a.) The Hon'ble court may be pleased to set-aside the decision dated 2nd and 3rd May, 2023 of the Respondent No. 2 disqualifying the Petitioners due to height;

b.) The Hon'ble court may be pleased to direct the respondent to correctly re-measure the height of the petitioners in a time-bound manner;

c.) The Hon'ble court may be pleased to direct the Respondents to allow the Petitioner to participate in the further recruitment process."

2. The case of the petitioners is that the respondents have wrongly measured the

height of the petitioners as under:

S. No.

Name

Height in Centimeters

1.

Mr. Mangal Singh (Petitioner No. 1)

168

2.

Mr. Rupesh Sharma (Petitioner No. 2)

169.5

3. As per the Medical Certificates (Annexure P-5), the height of the above two petitioners is as under:

S. No.

Name

Height in Centimeters

1.

Mr. Mangal Singh (Petitioner No. 1)

170.5

2.

Mr. Rupesh Sharma (Petitioner No. 2)

171.5

4. Since, there is a dispute in regard to the height recorded by the respondents in Rejection Slips and in the Medical Certificates which are Annexure P-5 to the present petition, in the interest of justice, we hereby direct the respondents to measure the height of the petitioners at or before 11:00 A.M on the date to be fixed by the respondents.

5. We hereby make it clear that the report shall be final and binding on the parties.

6. We hereby make it clear that if the petitioners are found fit, the respondents shall allow the petitioners to participate in further selection process.

7. Accordingly, the present petition along with pending application is disposed of.