

(2010) 07 JH CK 0012
In the Jharkhand High Court

Ravi Shankar Rajak

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 09-07-2010

Acts Referred:

Citation : (2010) 07 JH CK 0012

Hon'ble Judges : Rakesh Ranjan Prasad, J

Bench : Single Bench

Judgement

R.R. Prasad, J.—Heard learned Counsel appearing for the petitioner and learned Counsel appearing for the State.

2. The matter relates to appointment on the post of Constable in the District of Sahibganj.

3. Learned Counsel appearing for the petitioner submits that at the time of physical test conducted for the appointment on the post of a police constable, the petitioner's height was measured as 162.8 cm. whereas his height was much much more than that. However, on that measurement, the petitioner was given 4 points whereas for academic qualification, the petitioner earned 6 points. Thus in total 10 points were given to the petitioner and was declared unsuccessful whereas the persons, who secured 12 points in scheduled castes category were appointed. When the petitioner came to know that his height has wrongly been measured, the petitioner approached to this Court, whereby this Court vide order dated 19.03.2010 directed the petitioner to appear before Civil Surgeon, Sahibganj for measurement of his height, in presence of Chief Judicial Magistrate, Sahibganj as well as representative of the Superintendent of Police, Sahibganj and on measurement of height being taken, the height of the petitioner was found as 165.5 cm. On such height, the petitioner will get six points whereas earlier only four points had been awarded. Thus, the petitioner will be securing 12 points in total and in that event, he would be entitled to be appointed as the persons securing 12 points have already been appointed and that vacancies are still existing in the District of Sahibganj.

4. However, learned Counsel appearing for the State submits that he does not have any instruction as to whether there had been any vacancies existing in the District of Sahibganj.

5. This submission was countered by the learned Counsel appearing for the petitioner by submitting that in every district, vacancies have been kept reserved so that the persons, in whose favour order is passed by the Court, can be accommodated.

6. In view of the facts and circumstances, the petitioner is directed to appear before the Superintendent of Police, Sahibganj within three weeks from today where no measurement needs to be taken, as representative of Superintendent of Police, Sahibganj was there at the, time of taking measurement by the Civil Surgeon, Sahibganj rather the petitioner would be required to submit all his testimonials and if those testimonials are found in order and if there are vacancies, the decision with respect to appointment of the petitioner must be taken within a period of three weeks thereafter.