



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-22267-2022 (O&M)
Date of decision: 03.02.2025

Pardeep Kumar

...Petitioner

VERSUS

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sunil K. Nehra, Advocate and
Mr. Viren Nehra, Advocate for the petitioner.

Mr. Indresh Goel, Advocate for the respondents.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has approached this Court for seeking directions to the respondents to decide his representation dated 21.08.2020 and also alleging that disciplinary proceedings had been initiated against him with a *mala fide* intention by respondent No.4-Inspector General, ITBP, Bhanu, Panchkula (the then Deputy Inspector General) and that the findings of the Medical Board on 11.09.2021 have been influenced by him.

Learned counsel appearing on behalf of the petitioner contends that notwithstanding the allegations of malice levelled, the said respondent has chosen to file a joint reply instead of an individual one, responding to the allegations against him. It is further submitted that so far as the grievance espoused by the petitioner about taking a decision on the pending



representation is concerned, the same has already been taken in favour of the petitioner and he stands exonerated from the disciplinary proceedings. He contends that in order to maintain the sanctity of order of promotion which requires the petitioner to be in Shape-1 to be assigned the promotional post, he would be satisfied in case the PGIMER, Chandigarh is requested to carry out the physical examination of the petitioner as per the standards prescribed by the respondents themselves.

Learned counsel for the respondents is not in a situation to raise any serious objection to evaluation of the physical standards by the Institute of Eminence i.e. PGIMER, Chandigarh.

The present writ petition is accordingly **disposed of** at this stage with a direction to the PGIMER, Chandigarh to undertake the medical examination of the petitioner as per the standards prescribed by the respondents and to assess as to whether the petitioner fulfills the Shape-1 criteria.

Needless to mention that in the event of the petitioner fulfilling the criteria and standards as prescribed, the appropriate consequences shall follow.

(VINOD S. BHARDWAJ)
JUDGE

03.02.2025

Mangal Singh

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