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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 11972 of 2022**

(SHAILESH KUMAR TIWARI Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 30-05-2022

Shri N.S. Ruprah, learned counsel for petitioner.

Shri Gourav Tiwari, learned Panel Lawyer for the State.

Shri Shubham Rai, learned counsel for respondent No.3.

The petitioner participated in the process of selection for the post of General Duty (GD) Constable. The petitioner qualified in the first phase of the test and thereafter he was required to undergo Physical Proficiency Test which was conducted on 9-5-2022. However, he was disqualified on account of torrid heat of summer season and could not perform well.

The petitioner submits that on account of torrid weather number of candidates could not perform to the best of their capabilities and even, a few of them lost their lives also during the process of Physical Proficiency Test. Even, while taking this Court to Annexure-P/10 the petitioner submits that the Professional Examination Board taking note of extreme weather, itself has now given a date afresh to appear in the Physical Proficiency Test to be commenced from 6-6-2022 to other candidates.

On payment of process fees within 3 working days, issue notice to respondents by both modes - ordinary as well RAD, returnable within four weeks.

List after four weeks.

As an ad-interim measure, it is directed that respondents shall allow the petitioner to appear in the Physical Proficiency Test, which is to be commenced from 6-6-2022. However, participation of petitioner in the aforesaid test shall

remain subject to final outcome of this writ petition and no right shall accrue in favour of the petitioner on account of such participation.

C.c. per rules.

(MANINDER S BHATTI)
V. JUDGE

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