

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.12730 of 2014

Date of decision: 21.12.2015

Ajay Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. R.S.Manhas, Advocate for the petitioner.

Ms. Monica Chhiber Sharma,
Deputy Advocate General, Punjab for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks quashing of order dated 20.2.2014 (Annexure P/5) whereby relief of employment had been declined under the Rehabilitation and Resettlement Scheme dated 18.11.1993 (Annexure P/1) on the ground that the petitioner's uncle, namely, Rachhpal Chand son of Kaka Ram had been given employment.

The petitioner is son of Surjit Kumar son of Kaka Ram. As per photocopy of the appointment letter dated 3.10.1996 now placed on record, it would be clear that appointment was given 1-1/2 decades earlier. The petitioner along with others as a bunch of petitioners approached this Court by way of Civil Writ Petition No.18434 of 2011-Baljit Singh and others Vs. State of Punjab and others got a direction issued for consideration of the matter without this Court being informed that uncle of the petitioner had already been given employment under the Rehabilitation and Resettlement Scheme.

In such circumstances, the said issue cannot be raked up after 1-1/2 decades once the family members of the petitioner had accepted the appointment and as such the petition is liable to be dismissed on this

account as the purpose of the R&R scheme is only to grant immediate succor to the family by granting employment. At the time of acquisition of the land the same was done in the present case where the uncle of the petitioner was given employment and the said employment was never objected to and neither has any challenge been raised to it. Thus, on account of concealment of material facts, this Court is not inclined to interfere with the impugned order once the family member of the petitioner had already been given employment and now undue benefit is sought by approaching this Court.

Accordingly, the present writ petition is dismissed.

December 21, 2015
Pka

(G.S.SANDHAWALIA)
Judge