

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.26270 of 2013

Date of decision: 21.12.2015

Agar Paul

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Vipin Mahajan, 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 23.08.2012 (Annexure P/10) whereby relief of employment has been declined under the Rehabilitation and Resettlement Scheme dated 18.11.1993 (Annexure P/1) on the ground that the petitioner's brother, namely, Sudesh Kumar had been given employment in the year 1995.

The said order was passed in pursuance of the petitioner along with others set of petitioners approaching this Court by way of Civil Writ Petition No.14898 of 2014 titled Bhupinder Singh and others Vs. State of Punjab and others. It is not denied that the petitioner's brother namely Sudesh Kumar had already been granted employment way back a 1-1/2 decade before. The petitioner approached this Court in 2011. The consideration was accordingly directed on account of the understanding that the petitioner or his family member had not been given benefit of employment since in **CWP No.787 of 2008 Dharam Singh and others Vs. State of Punjab and others** decided on 26.11.2009 certain directions had been issued. Here the petitioner's brother namely Sudesh Kumar was given employment which fact was obviously not brought to the notice of

this Court in earlier set of litigation leading to the issuance of direction for reconsideration. On account of concealment of material fact, this Court is not inclined to interfere with the impugned order once the family member of the petitioner had already been given employment and undue benefit is sought by invoking the jurisdiction of this Court.

Accordingly, the present writ petition is dismissed.

December 21, 2015
Pka

(G.S.SANDHAWALIA)
Judge