

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.7608 of 2013

Date of decision: 21.12.2015

Mohammad Rafi

...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 24.8.2012 (Annexure P/10) whereby the claim for employment on the basis of Rehabilitation and Resettlement Scheme dated 18.11.1993 (Annexure P/1) (for brevity "R&R Scheme") has been rejected. The reasons for rejection is that one member of the family, namely, Abdul Gaffar son of Sh. Gulam Mustafa had already been given employment under R&R Scheme.

A perusal of the written statement would go on to show that offer of appointment was made to Abdul Gaffar on 31.7.2012 (Annexure R/1).

Counsel for the State has placed on record photocopy of the affidavit of petitioner's father Gulam Hussain wherein consent was given that his brother Abdul Gaffar be given appointment. It was also mentioned that some persons had filed Civil Writ Petition No.14771 in which he was at serial no. 26. It is thus apparent that the family had earlier approached this Court in Civil Writ Petition No.14771 of 2011 and in pursuance of that one of the members of the family has been granted employment. Another affidavit of mother of the petitioner has also been placed on record

whereby Abdul Gaffar was to be granted employment which has been done. The purpose of the R&R scheme is only to grant immediate succor to the family by granting employment and once interse affidavits have been submitted, the petitioner cannot now claim employment over and above, the one person from the family who has already been given employment. The said employment has also not been challenged by impleading his brother as respondent.

Resultantly, there is no scope for interference in exercise of jurisdiction under Article 226 of the Constitution of India.

Accordingly, the present writ petition is dismissed.

December 21, 2015
Pka

(G.S.SANDHAWALIA)
Judge