

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.5895 of 2015(O&M)

Decided on : 22.12.2015

Hans Raj

... Petitioner

Versus

State of Punjab & others

... Respondents

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

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

Ms.Monica Chhiber Sharma, DA.G., Punjab.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks quashing of order dated 21.02.2014 (Annexure P5) whereby the claim of the petitioner had been rejected on the ground that another family member of the petitioner has been given appointment.

A perusal of the impugned order dated 21.02.2014, whereby the petitioner has been denied employment under the Rehabilitation & Resettlement Policy dated 18.11.1993, is on the ground that though the petitioner was eligible but one member of the family, namely, Pritam Chand son of Jagdish Chand, who is the cousin brother of the petitioner, has been given employment.

The appointment order dated 18.01.1999 (Annexure R1) has been attached wherein employment was given to Pritam Chand son of Jagdish Chand (Annexure R2), which would further go on to show that Jagdish Chand @ Sunakshi Ram @ Shonku

Ram is the grandfather of the present petitioner. It is not disputed that a period of more than a decade has passed by since the said appointment was given. The petitioner, thereafter, filed CWP-20798-2011 titled *Ved Parkash & others Vs. State of Punjab & others*, in which, a direction was issued on 09.11.2011, for consideration and the issue was again opened up, for the first time, after a period of more than a decade.

Nothing had been brought to the notice of this Court, at that point of time, that a family member had already been granted employment and in pursuance of that, reconsideration was done. The said appointment letter was never challenged by the petitioner, by impleading his cousin that the appointment was wrongly given. The policy of rehabilitation is to provide succor to one of the family member whose land has been acquired. The appointment having not been objected to and only was sought to be reopened on account of a subsequent judgment passed by this Court on 26.11.2009, in CWP-787-2008 titled *Dharam Singh & others Vs. State of Punjab & others*, is obviously to gain undue benefit, which is beyond the scope of the rehabilitation policy.

Accordingly, there is no scope for interference in the present writ petition and the same is, hereby, dismissed.

DECEMBER 22, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE