

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

**CWP No.9220 of 2014
Decided on : 22.12.2015**

Rachpal Singh @ Rashpal Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.R.D.Sharma, Advocate, for the petitioner.

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

G.S. Sandhawalia , J. (Oral)

Challenge in the present writ petition is to the order dated 18.09.2013 (Annexure P2) whereby the petitioner has been denied employment on account of the fact that one Inder Pal Singh son of Hoshiar Singh, who is the cousin brother of the present petitioner, has already been provided employment as Class IV employee.

Photocopy of the employment order dated 12.12.1995 along with affidavit of the father of the petitioner, namely, Shamsheer Singh, has been placed on record by the State Counsel, today. A perusal of the speaking order also would go on to show that Hoshiar Singh and Shamsheer Singh were sons of Khoju Ram. As per the legal notice dated 10.02.2014 (Annexure P4), it is admitted that Khoju Ram was the common ancestor. The

appointment was given 20 years back. Thereafter, the issue was sought to be reopened, at the instance of the petitioner, by filing a petition jointly in CWP-17798-2011 titled *Ramesh Kumar & others Vs. State of Punjab & others*, wherein there were 49 petitioners and it was directed by this Court on 21.09.2011, to consider the issue.

This Court was never apprised of the employment, which had already been granted more than 15 years earlier, at that point of time and the issue has been sought to be reopened. Neither the said appointment has been challenged, which was within the family, at that point of time. On account of concealment of facts, the petition is liable to be dismissed as the concession of rehabilitation, by way of appointment, cannot be done again, in the above facts and circumstances.

Accordingly, in view of the above, the present writ petition stands dismissed.

DECEMBER 22, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE