

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

**Regular Second Appeal No.5104 of 2014 (O&M)
Date of decision : 19.05.2015**

Paramjit Singh

....Appellant

versus

Punjab State Electricity Board and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.S. Bhinder, Advocate,
for the appellant.

RITU BAHRI, J.

Plaintiff-appellant has come up in regular second appeal against the judgments of concurrent findings of fact recorded by both the Courts below, whereby his suit seeking employment against acquisition of land of his father, has been dismissed.

The land of the plaintiff-appellant was acquired by the defendant-respondents for construction of Guru Nanak Thermal Plant, Stage-II, Bathinda under the name of Guru Har Gobind Thermal Plant, Bathinda and compensation on account of acquisition of land was received by his father. The father of plaintiff-appellant retired from Indian Army after attaining the age of superannuation in 1987. There was a policy of the defendant-board to give employment to one member of family after acquiring the land of landowners. A publication was made by the defendants with regard to the aforesaid policy and applications were received till

30.06.2001. Accordingly, father of the plaintiff moved an application to the defendants on 27.06.2001. However, the claim of the plaintiff was rejected vide memo dated 17.07.2001 by stating that the land of the father of plaintiff-appellant was less than 2 acres and the age of the plaintiff was 16 years, therefore, he was not entitled for appointment.

Both the Courts have decided against the plaintiff-appellant. Hence, this appeal.

The defendants-respondents admitted that various representations were made by the plaintiff-appellant from time to time and were rejected, as he did not fulfill the conditions of the policy. The defendants placed on a decision of the board dated 02.06.1998, Ex.D2, whereby it was decided to give employment to one family member of those landowners whose land acquired was two acres or more.

Earlier, the defendant-board had issued a circular dated 18.07.1994, Ex.D1, in which there was a condition that the land acquired should be more than two acres. Even after issuing of Ex.D1 and Ex.D2, when the application was made by the present plaintiff-appellant, he was 16 years of age and therefore, his application was rejected. Further, the claim of the plaintiff has been declined vide letters dated 29.12.2006 and 02.07.2007 on the ground that he was not covered under the policy, Ex.D2, as the land owned by his father, which was acquired, was less than two acres.

Furthermore, after taking compensation, the plaintiff cannot claim appointment as a matter of right as he did not fulfill necessary requirement. This issue has been decided by the Apex Court in **Punjab State Electricity Board Vs. Malkiat Singh**, 2005 (3) RAS 357. This decision was further followed in another judgment in **Sarabjit Kaur Vs.**

Punjab State Electricity Board, CWP No.12420 of 2000.

After going through the judgments passed by both the Courts below, no irregularity, much less perversity, has been found therein warranting interference by this Court.

No substantial question of law arises for consideration.

Dismissed.

(RITU BAHRI)
JUDGE

19.05.2015
ajp