

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 06.12.2016****CWP No.15871 of 1998 (O&M)**

Ajit Singh & another

...Petitioners

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. R.S.Malik, Advocate, for
Mr. R.S.Bains, Advocate, for the petitioners.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. P.K.Rohilla, Advocate, for respondent No.12.

Mr. K.P.Singh, Advocate, for respondent No.15.

RAJIV NARAIN RAINA, J. (ORAL)

Though office has put up this case for completion of service, but from a perusal of the petition, it transpires that this petition was admitted on a point, which was under consideration in CWP No.14659 of 1998 titled 'Jagpal Singh Vs. State of Haryana & others' then pending before the Division Bench. Office has put up the judgment dated 18.11.1998 passed in that case dismissing the petition in challenge to the selection of Constables in Haryana Police which is the issue involved in the instant petition.

If the challenge to the selection has failed before the Division Bench, no further proceedings are necessary to enquire into the vires of Rule 12.16 of the Punjab Police Rules, 1934 as amended by the Punjab Police (Haryana Amendment) Rules, 1998 vide which marks for interview in the criterion were increased to 15 which increase is the ground of challenge. The validity of the Rule is not open to doubt merely on account of amendment

enhancing the marks for interview to 15 which is not excessive by any conventional standards in the hunt for talent. When the Rule is applied uniformly, it would not result in any prejudice to any of the parties measured on the same yardstick. In any case, this is an old matter involving direct recruitment of constable in the police department and any belated interference in the selection made in the year 1998 by passage of time is beyond redemption and the claim for appointment stale and virtually dead.

Consequently, the instant petition deserves to be disposed of in terms of the order passed by the Division Bench in Jagpal Singh's case, which is binding on the Single Bench.

The petition is accordingly dismissed.

06.12.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*