

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.13748 of 2011

Date of decision: 17.5.2016

Sharanjeet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Manjeet Singh, Advocate for the petitioner.

Mr. L.S.Virk, Addl. Advocate General, Punjab for
respondents No.1 and 2.

Mr. Vijay Sharma, Advocate for respondent no.3.

G.S.SANDHAWALIA, J. (Oral)

The petitioner claims appointment to the post of Drug Inspector under the category of SC others sports on the strength of having 3rd position in the discipline of Softball game in XXXXII National School Games Championship held in 1996 (Annexure P/4).

It is not disputed that as per advertisement dated 2.5.2010 (Annexure P/7) 37 posts of Drug Inspectors which is class II post were to be filled up to which the petitioner was an aspirant. As per Annexure P/9 one post was reserved for the aforesaid category. However, the petitioner was not appointed and the reserved post was converted into SC (M&B). Resultantly, the present writ petition was filed.

The defence of the State is that as per the Punjab Recruitment of Sportsmen Rules, 1988, the sportsman would be a person who has won the national championship in terms of individual events while representing the State of Punjab in such sports events as have been conducted by the national federations as are affiliated to the Indian Olympic Association. Similarly, for team events, the achievement has to be at the national level

or individual events which are organised by the Indian Olympic Association.

The post in question is class II (Group 'B') service post. The certificate which was produced by the petitioner did not have the prescribed sports gradation as per instructions and resultantly the seat was converted from the sports category since the petitioner only had 'C' grade certificate. The 'B' grade certificate which has been issued on 29.9.2010 (Annexure P/6) after the last date was over has not been accepted in view of the Rules.

Counsel for the petitioner is not in a position to point out that achievement as such is covered as per the Rules which would be applicable.

In such circumstances action of the respondents in converting the seat to SC (M&B) does not suffer from any illegality which would warrant interference.

Accordingly, the present writ petition is dismissed.

May 17, 2016
Pka

(G.S.SANDHAWALIA)
Judge