

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 17304 of 2012 (O&M)
Date of decision: 11.1.2016

Amandeep Singh

.. Petitioner

v.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. H. S. Batth, Advocate for the petitioner.
Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.
Mr. C. S. Jattana, Advocate for
Mr. A. S. Jattana, Advocate for respondent No. 4.

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Rajesh Bindal J.

The petitioner, who was an unsuccessful applicant for allotment of a ration depot in village Mari Kamboke, Tehsil Patti, District Tarn Taran, has filed the present petition challenging the allotment thereof to respondent No. 4.

While referring to the instructions issued by the Government laying down conditions for allotment of ration depot, learned counsel for the petitioner submitted that one of the conditions laid down therein was that the applicant should be a Matriculate. He submitted that in the comments furnished by Inspector, Food & Civil Supplies to the authorities, it was specifically mentioned that respondent No. 4 had not enclosed any certificate as a proof of education, hence, allotment of ration depot to her was liable to be cancelled, she being ineligible.

On the other hand, learned counsel for the respondents submitted that respondent No. 4 was fully eligible for allotment of ration

depot. Whereever there were some discrepancies in the applications, all the applicants were given opportunity to remove the same. As a result thereof, respondent No. 4, who was a Matriculate, produced her Matriculation certificate in the office. She being otherwise eligible fulfilling all other conditions, was allotted the ration depot, hence, the petition seeking cancellation thereof deserves to be dismissed.

Heard learned counsel for the parties and perused the paper book.

It is not in dispute that in the instructions issued by the State for allotment of ration depot, one of the conditions is that the applicant should be a Matriculate. Respondent No. 4 was allotted the ration depot. Challenge has been made to the allotment by the petitioner on the ground that respondent No. 4 is not a Matriculate. In support, comments sent by the Inspector, Food & Civil Supplies have been referred to, which mentioned that no certificate of qualification of respondent No. 4 was annexed with the application. The stand of the respondents was that after opportunity was given to all the applicants to remove the deficiencies, if any, respondent No. 4 had produced the certificate of her Matriculation qualification on 22.6.2010. The original record from the office of respondent No. 3 was also called for and it was found that a certificate showing Matriculation qualification of respondent No. 4 was on record in the file.

As from the record, it is established that respondent No. 4 was a Matriculate, hence, cannot be termed to be ineligible for allotment of the ration depot on the ground that she was lacking qualification prescribed for the purpose. The allotment of ration depot to her cannot be said to be illegal or arbitrary.

For the reasons mentioned above, I do not find any merit in the present petition. Accordingly, the same is dismissed.

(Rajesh Bindal)
Judge

11.1.2016
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