

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

CWP No.16520 of 2014

Decided on : 23.05.2016

Manjit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

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

Present : Mr. JPS Sidhu, Advocate
for the petitioner.

Mr. APS Mann, Addl. AG, Punjab.

G.S. Sandhawalia, J. (Oral)

The petitioner challenges the order dated 28.07.2014 (Annexure P-8), whereby his claim for a job on account of acquisition of land 16 Kanal 15 Marlas has been rejected by the Deputy Commissioner, Mansa, on the ground that he does not fall in the category of 'Exceptional Hardship', as per the guidelines dated 03.03.2014.

However, in the written statement the plea has been taken that the petitioner's brother has been appointed in the Punjab Police and his case was not recommended by the Committee for giving job. Accordingly, averment has been made that the case of the petitioner has been rejected by passing a speaking order, which is Annexure P-8.

However, as noticed above the reasons for rejection of the case are not that the petitioner's brother has got job in the Punjab Police and in such circumstances, the written statement is contrary to what weighed with the Deputy Commissioner while passing the order.

In such circumstances, this Court is of the opinion that the order needs to be revisited by the Deputy Commissioner as to whether the petitioner is entitled for appointment or not, keeping in view the fact that the family member has been given appointment, which fact had come up for the first time in the written statement.

Accordingly, a fresh decision be taken as per policy dated 08.11.2011 and modified by the guidelines dated 03.03.2014. The observations made by this Court while deciding **CWP No.16541 of 2014 'Baldev Singh Vs. State of Punjab and others'** decided on 29.03.2016, will also be kept in mind by the Deputy Commissioner while deciding the case.

With the abovesaid observations, the present writ petition is disposed of.

MAY 23, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE