

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 24928 of 2016

Date of decision: 2.12.2016

Suresh Kumar

... Petitioner

Versus

Usttar Haryana Bijli Vitran Nigam Ltd. & ors.

... Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. Daman Jeet Bhoriwal, Advocate,  
for the petitioner.

**RAJIV NARAIN RAINA, J.(Oral)**

This Court has already passed an order in CWPs No.21086, 21116 & 21084 of 2016 (Annex P-7 to P-9) in the same context and subject matter involving denial of appointment to the petitioner. In this case, the position is the same except that the present petitioner belong to the general category and is higher in merit position than six other general category candidates who have been offered appointments by the Nigam to serve as Assistant Linesman in a direct recruitment process where the petitioner was contestant. These names are mentioned in CWP No.21084 of 2016, titled Manoj Kumar & ors. v. UHBVN Ltd. & anr. (Annex P-9). The factual matrix is that petitioner herein is at merit position No.59. The petitioner is higher than other candidates but the other candidates lower in merit have been given appointment.

Accordingly, the case of the petitioner is covered by CWP No.14823 of 2011 titled as 'Mukesh Kumar & ors. v. State of Haryana & ors.' (Annex P-6). The petitioner served legal notice dated 20.10.2016

(Annex P-10) but no action has been taken.

The petition stands disposed of in terms of above observations and directions by according parity of treatment in consonance with Articles 14 and 16 of the Constitution of India and the rule against unfair discrimination within the same homogeneous class.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**2.12.2016**  
monika

*Whether speaking/reasoned*                      *Yes/ No*

*Whether reportable*                              *Yes /No*