

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.25663 of 2016.

Date of Decision: December 12, 2016

Kawaljit Kaur

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Rakesh Nagpal, Advocate, for the petitioner.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The petitioner is a resident of district Kaithal (Haryana). She claims herself to be the grand-daughter of a freedom fighter. She has laid challenge to Advertisement No.5 dated 14.09.2016 vide which State of Punjab has restricted the reservation meant for children/grand-children of freedom fighters for the residents of Punjab State only. According to the petitioner, her grand-father was recognized as a freedom fighter by the erstwhile State of Punjab in the year 1952, hence the respondents' instance that the beneficiary of reservation must be only the resident of State of Punjab is totally discriminatory, irrational and is liable to be struck down.

Having heard learned counsel for the petitioner we do not find any merit in the contention. Reservation in question has been admittedly provided by the State of Punjab. The State Government is well within its right to restrict the benefit of reservation qua *bonafide* residents of its own

State only. Since the benefit of reservation is sought by the petitioner in the

year 2016, her residential status has to be seen as on that date. The fact that her grand-father was recognized as freedom fighter by the joint State of Punjab is inconsequential.

Dismissed.

[SURYA KANT]
JUDGE

December 12, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No