

LPA-1285-2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1285-2016

Date of Decision: October 24, 2016

Krishan Kumar Bishnoi

.....Appellant

Versus

The State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- | | | |
|----|---|---------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |
| 4. | To be referred to the Reporters or not? | Yes/No |
| 5. | Whether the judgment should be reported in the Digest? | Yes/No. |

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Present: Mr.Namit Kumar, Advocate
for the appellant.

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SURYA KANT, J.

The appellant was selected as a Constable in the year 1995 but the entire selection was set aside by this Court in CWP No.13942 of 1995 decided on 16.02.1996. SLP preferred against that order was also dismissed by Hon'ble the Supreme Court on 17.01.2001. Services of all the 1600 appointees were thus terminated.

The instant writ petition was filed by the appellant claiming that unfortunately he has become 100% disabled, hence he be adjusted against the post of Jail Warden or any such post for which he is found suitable. The plea taken was that some other surplus/terminated employees were adjusted in the same manner. Learned Single Judge has rejected such claim giving rise to this Letters Patent Appeal.

We have heard learned counsel for the appellant and gone

through the record.

There are no statutory Rule or Policy mandating that the appellant, whose selection as a Constable was found to be illegal and whose services were terminated under the directions of this Court, can claim adjustment as a matter of right. Though the appellant has unfortunately become physically disabled but then the only recourse available in law would be to compete for a post as and when advertised for the said reserved category. There might be hundreds of other differently abled candidates who are awaiting appointments in public employment. No preferential treatment can be made to the appellant of his previous selection as a Constable.

Dismissed.

**(SURYA KANT)
JUDGE**

October 24, 2016
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**(SUDIP AHLUWALIA)
JUDGE**