

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

LPA No.1297 of 2016 (O&M)

Date of Decision: 18.10.2016

Haryana Power Generation Corporation Limited and others

..Appellants

Vs.

Dharmender Singh and another

..Respondents

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

Present: Mr.P.S.Chauhan, Advocate for the appellants.

Mr.N.S.Shekhawat, Advocate for respondent No.1.

SURYA KANT, J.

The controversy pertains to eligibility of the Ist respondent for appointment in the Thermal Power Plant in lieu of acquisition of the land of his family as per State Government Policy. Learned Single Judge has allowed the claim of respondent No.1 but the uncertainty arising due to multiple claims has prompted the Power Generation Corporation to file this appeal.

Following order was passed by the Court on 28.9.2016.

“It is contended, inter alia, that one member of the family is entitled to employment in the Thermal Plant if more than two acres of land of such family has been acquired. In the case of the respondent (s), it is stated that if land of the entire family is taken into account, then the acquired land is more than two acres. It is further stated that the Corporation has no objection against appointment of one of the family member but the respondent as well as his brother both are claiming such employment. It is contended that respondent's brother

has filed a separate writ petition seeking employment under the Scheme. It is explained that the acquired land belongs to the entire family of the respondent and was not exclusively owned by him.

Notice of motion for 18.10.2016.

Notice re: condonation of delay as well.

The claim of the respondent for appointment shall be considered provided that all his family members including his brother (s) give consent affidavits to the satisfaction of the Competent Authority.

Let a copy of this order be placed on the file of connected matter.”

In deference thereto, it is stated by counsel for the 1st respondent that all his family members have already given affidavits and they are still ready and willing to give affidavits in support of the fact that (i) the acquired land of their family is more than two acres (ii) no other family member except respondent No.1 (Dharmender Singh) has applied or will apply in future to claim employment.

In this view of the matter, the appeal is disposed of with a direction that on fulfillment of the above-stated requirements, the claim of respondent No.1 for appointment be considered within one month.

(SURYA KANT)
JUDGE

(SUDIP AHLUWALIA)
JUDGE

18.10.2016
Meenu

Whether speaking/reasoned	-	Yes/No
Whether Reportable	-	Yes/No