

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

CWP No.10058 of 2017

Date of Decision:13.09.2017

Sukhminder Singh and others

... Petitioners

Vs.

Union of India and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Sandeep Bansal, Advocate for the petitioners.

None for respondents No.1 and 2.

Mr. B.S. Sewak, Addl. A.G. Punjab.

Mr. R.D. Anand, Advocate for respondent No.4.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has prayed for the following relief:

“(i) a writ of mandamus directing respondent No.2 to send the petitioners for recruit training in view of the fact that the said certificates and its contents have been found to be genuine both by PSEB and Police but for one extra seal/stamp which has been put while these original certificates were in custody of respondents;

(ii) or in the alternative a writ of mandamus directing respondent No.4 to forthwith verify the final genuineness of the certificates and their contents as submitted to it by respondent No.2 and 3 in respect of selection of petitioners as Soldiers in Indian Army and forward a report to that effect to respondent No.2, so as the petitioners are sent for recruit training for appointment as Soldier GD along with their batch mates with all consequential benefits;

(iii) Further a writ in the nature of mandamus directing the respondents to reserve three post of Soldier GD for the petitioners during the pendency of this writ petition.”

Perusal of the complete writ papers, there is no material to show that petitioners had approached respondents No.2 and 4 to redress their grievances. In the absence of necessary representation or application or demand before respondents No.2 and 4, petitioners are not entitled to writ of mandamus against respondents No.2 and 4 as prayed for in the present writ petition.

Accordingly, petition stands dismissed with costs of Rs.5000/-. The cost shall be paid to the office of 2nd respondent-department. Reserving liberty to the petitioners to approach respondents No.2 and 4 for redressal of their grievances. If the petitioners approach respondents with certain grievance by submitting any application/representation in that event concerned respondent may take appropriate decision and communicate the same to the petitioners.

13.09.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**