

CWP No.1253 of 2017

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

CWP No.1253 of 2017

Date of Order: 15.3.2017

Kuldeep Singh

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.K. Singla, Advocate for the petitioner.

Mz. Sudeepti Sharma, DAG, Punjab.

JASWANT SINGH, J (ORAL)

The petitioner is a dependent of Ex-Serviceman and also belongs to the Scheduled Caste (R&O) Category. He had applied for the post of Chowkidar (Class IV) post out of SC (R&O) Category with Sub Category Ex-Serviceman Dependent. There was no post advertised in the category of SC (R&O), and only one post was advertised in the Ex-Serviceman/Ex-Serviceman Dependent with SC (R&O) Category. The petitioner is alleged to have secured 57 marks in the merit list. The last candidate admitted in the General Category has secured 88 marks whereas in the category of Ex-Serviceman-SC (R&O), the candidate has secured 55 marks. Hence, the petition has been filed claiming a right of appointment in the Ex-Serviceman Category being

dependent of Ex-Serviceman.

Upon notice, reply by way of affidavit dated 08.3.2017 of Harmanjeet Singh, Offg Addl. Commandant General, Punjab Home Guards & Addl. Director Civil Defence Punjab filed on behalf of respondent Nos.1 to 3 has been filed, which is taken on record. It is averred in the reply that as per Punjab Government Notification dated 12.2.1982, the benefit of reservation is to be given to the Dependents of Ex-Serviceman only in case where no Ex-Serviceman self is available. It is submitted that in the present selection, there were many candidates out of SC (R&O) EXSM (Self) Category available out of whom, 10 candidates were placed in Merit List and one candidate from this Merit List named Jageera Lal, who himself was available from SC (R&O) Ex-Serviceman (self) category has been given appointment on merit.

In view of the aforesaid contents of reply, no further orders are required to be passed.

Dismissed.

March 15, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No