

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.13683 of 2017 (O&M)

Date of Decision: 04.07.2017

Sunil Kumar

--Petitioner

Versus

State of Punjab and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ajay Paul Singh, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Pleadings on record indicate that the petitioner had submitted an application and participated in the process of selection for recruitment to the post of Male Constable (Sports Persons) pursuant to an advertisement dated 23.11.2016, issued by the Recruitment Board (Sports Persons), Punjab Police, P.A.P., Jalandhar (Annexure P-1).

Case of the petitioner is that he had applied against the discipline of Athletics and for which 44 vacancies had been earmarked for Male Constables.

After conclusion of the selection process a select/merit list has been published on 4.5.2017 and in which the name of the petitioner does not figure.

The precise grievance raised in the instant petition is that the criteria for award of marks as disclosed in the advertisement at Annexure P-1 has not been followed.

Perusal of the advertisement itself would reveal that as per clause 12, there is a remedy provided to a candidate of filing an appeal in the case of entertaining any kind of grievance as regards selection and after

declaration of the final result. The appellate authority has been defined to be the Director General of Police and the appeal, if any, by an aggrieved candidate is to be filed within 30 days of the declaration of the result.

Counsel appearing for the petitioner would submit that the petitioner immediately after declaration of the result has been filing representations but the same were addressed to the Chairman, (Sports Persons), Recruitment Cell, Punjab Police.

Counsel contends that he would be satisfied, if, directions were to be issued in terms of granting liberty to the petitioner to address an appeal to the D.G.P as regards his grievance with regard to the selection process conducted.

Notice of motion confined only qua official respondents no.1 to 3, at this stage.

On the asking of the Court Mr. Avinit Avasthi, learned A.A.G., Punjab accepts notice on behalf of respondents no.1 to 3. A complete copy of the petition has been furnished to learned State counsel in Court itself.

In the light of the limited prayer raised by counsel for the petitioner, there would be no requirement for calling upon the State to file a written statement to the writ petition. Learned State counsel does not even oppose the limited prayer raised by counsel.

In view of the above, the instant petition is disposed of in terms of granting liberty to the petitioner to submit an appeal before the appellate authority as defined under the advertisement Annexure P-1 i.e. the D.G.P within a period of two days from today. In the eventuality of any such appeal being preferred the D.G.P. would be obligated to consider the same and to take a decision thereupon in accordance with law.

It is, however, clarified that while issuing these directions this Court has not examined this case on merits and has not expressed any opinion with regard to the submissions advanced by the counsel. Furthermore, the appeal would be entertained only in the eventuality of appointment letters having not already been issued to the selected candidates.

Petition is disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.07.2017
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Whether speaking/reasoned:	Yes
Whether Reportable:	No