

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16503-2017

Date of Decision: July 27, 2017

Yuvraj Baldev Singh Aulakh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHIR MITTAL

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

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Present: Ms.Satinder Kaur, Advocate
for the petitioner.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.

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SURYA KANT, J.

Notice of motion to respondent Nos.1 to 4. It is not necessary to call respondent No.5, at this stage.

[2] On our asking, Mr.Rajesh Bhardwaj,Sr.DAG, Punjab, who is present in Court, accepts notice on behalf of respondent Nos.1 to 4. Let four sets of paper-book be handed over to him during the course of day. In view of the nature of the order, which we propose to pass, there is no need to seek any reply-affidavit from the official respondents.

[3] Petitioner is a young student and is aspirant to seek admission in LLB-three years Course in Panjab University, Chandigarh. He is grandson of late Baldev Singh Aulakh, PPS, who was serving as DSP in

Punjab Police and died in an encounter with terrorists on 27.08.1990. The petitioner being grand-child of a victim of terrorism applied for such Certificate but his request was declined firstly by District Magistrate, Rupnagar, on the ground that such Certificate can be issued to civilians only. The petitioner's father, who is also serving in Punjab Police thereafter approached the police authorities for issuance of the requisite Certificate in terms of instructions, dated 12.09.2016, of the Director General of Police, Punjab, but that request has also been turned down vide impugned communication, dated 21.07.2017, on the ground that the above-stated instructions, dated 12.09.2016, grant benefit for direct recruitment in Government service to the wards of police personnel who are victims of terrorism and for whom 2% posts have been reserved and that there is no quota provided under those instructions for admission in professional colleges. The aggrieved petitioner has approached this Court.

[4] We have heard learned counsel for the parties. We are of the view that since there is no provision in the instructions, dated 12.09.2016, issued by Director General of Police, Punjab, for reserving 2% seats in professional colleges for the wards of police personnel, who are affected/victims of terrorism, no positive direction can be issued to issue such Certificate to the petitioner. However, it is for the Director General of Police, Punjab, to consider as to whether the benefit granted under the instructions, dated 12.09.2016, deserves to be extended for the purpose of admission to professional colleges also. The matter essentially entails a policy decision which could be taken by Policy Makers only.

Director General of Police, Punjab, to consider the above-stated request made on behalf of the petitioner with reference to the instructions dated 12.09.2016 and if so inclined, to issue further clarificatory instructions. It shall be appreciated if an appropriate decision is taken at the earliest as the petitioner is keen to seek admission in this academic session.

**(SURYA KANT)
JUDGE**

July 27, 2017
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**(SUDHIR MITTAL)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |