

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.168 of 2017(O&M)

Date of Decision:-06.02.2017

Avtar Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. HPS Bhinder, Advocate for the Petitioners.

JASWANT SINGH, J.

Avtar Singh (Petitioner no.1), Jasvir Singh (petitioner no.2), Atam Parkash (petitioner no.3), Gurdev Singh (Petitioner no.4) have concededly retired from BSF or Central Reserved Police Force from the rank of Hawaldar whereas Labh Singh (petitioner no.5) is stated to have retired from the Indian Army in the rank of *Naik*. The five petitioners are stated to have applied for appointment as Constables against 7416 posts vide advertisement no.1/2016 dated 31.5.2016 (Annexure P-1) in the category of Ex-Servicemen. Petitioner no.5 belongs to the category of Scheduled Caste as well belongs to the State of Haryana. He had thus applied under the Ex-Servicemen (SC category).

It is claimed that the petitioners have undertaken the selection process however have been denied appointment as being ineligible in the categories applied. Hence the present petition.

After hearing learned Counsel for the petitioner, no case for interference is warranted. It is a conceded case that there are no instructions or any regulations issued by the State of Punjab extending the benefit of reservation under the Ex-Servicemen category to the ex personnel of Central Para Military Forces like BSF, CRPF, ITBP and CISF etc. Inspite of many opportunities no provision has been placed on record. Hence petitioner no.1 to 4 have no legal right to claim reservation in the Ex-Servicemen category. As regards petitioner no.5, it is apparent that being a Scheduled Caste belonging to the State of Haryana, as per relevant instructions would not be entitled to the benefit of being a Scheduled Caste for appointment in State of Punjab. Therefore, his claim for appointment as an Ex-Servicemen (SC category) also was rightly declined.

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

February 06, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>