

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.17798 of 2017.

Date of Decision: August 10, 2017

Lovepreet Singh

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Anand Singh, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is an aspirant for admission to MBBS/BDS Course in the State of Haryana and for that purpose, he sought the benefit of reservation meant for dependents of Ex-servicemen in the Category of Backward Class (A).

[2] It may be mentioned here that there is horizontal reservation for Ex-servicemen and dependents of Freedom Fighters in different categories like General and Scheduled Caste etc. In the Prospectus, the respondent-University while publishing the tentative distribution of seats, did not provide any horizontal reservation for Ex-servicemen in the reserved category of Backward Class (A) or Backward Class (B). The petitioner averred that he has made a representation at the time of counselling and sought the benefit of aforesaid reservation in Backward Class (A) Category. As no decision appears to have been taken on his representation, the instant writ petition has been filed.

[3] We have heard learned counsel for the petitioner.

[4] In our considered view, it may not be expedient for this Court

servicemen in the reserved categories of Backward Class (A) or Backward Class (B) for the reason that 3% horizontal reservation for the Ex-servicemen and dependents of Freedom Fighters categories appears to have been exhausted by reserving certain roster points of General Category and Scheduled Caste Category for them. Any such direction would increase the percentage of reservation for Ex-servicemen and dependents of Freedom Fighters. This would obviously be at the cost of some other candidates whether of General or reserved categories. However, the question whether horizontal reservation can be provided in the reserved categories of Backward Class (A) or Backward Class (B), without affecting other categories for whom roster points have already been earmarked in the prospectus, is essentially a policy decision which can be taken by the Policy Makers. We thus dispose of this writ petition with a direction to the respondents to consider the representation said to have been made by the petitioner and take an appropriate decision within one week from the date of receiving a certified copy of this order.

[5] Ordered accordingly.

[6] Dasti.

[SURYA KANT]
JUDGE

August 10, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No