

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.25815 of 2017(O&M)
Date of Decision: 08.12.2017

Sukhdev Singh & others

--Petitioners

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. R.K. Arya, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

As per pleadings on record, petitioners, who are 22 in number, were engaged as S.P.Os in Railway Police under the aegis of Punjab Police on different dates in the year 1994. Subsequently, the petitioners have been absorbed as Constables on regular basis in the years 1999/2000.

Prayer in the instant petition is for ante dated absorption as Constable w.e.f. 30.6.1995.

The entire case set up on behalf of the petitioners is that one Sukhwinder Singh, Gurdip Singh and Kashmir Singh private respondents no.14 to 16 respectively were directly recruited as Constables on 30.6.1995 i.e. at a point of time when the petitioners herein were already working as S.P.Os and as such, without extending to the petitioners a prior right of consideration for appointment as Constables, the private respondents were so appointed and as such, the petitioners would now have a right to be absorbed as Constables w.e.f. the same date.

On a pointed query having been put to counsel for petitioners, the response is that in the year 1995 at the stage of appointing private respondents no.14 to 16 as Constables no transparent/regular process of

recruitment had been followed. Counsel would rather contend that the private respondents were backdoor entrants in the service.

In the light of such submission advanced by counsel, the prayer of the petitioners deserves to be rejected outright. It is the case of the petitioners themselves that private respondents have not been appointed by a regular process of selection. If that be the case, there would be no occasion for issuance of directions to absorb the petitioners herein as Constables w.e.f. a date when certain other Constables had been so appointed.

The writ petition is misconceived and is dismissed.

It is clarified that this Court has not expressed any opinion with regard to appointment of private respondents no.14 to 16 but has merely proceeded on the basis of submissions advanced by counsel.

(TEJINDER SINGH DHINDSA)
JUDGE

08.12.2017

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