

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.8756 of 2017(O&M)

Date of Decision: 04.10.2017

Lakhbir Singh

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. P.P.S. Tung, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Petitioner Lakhbir Singh is stated to be presently posted and serving as Sub Inspector in Punjab Police at Ludhiana.

The instant writ petition has been filed seeking the issuance of a Writ of Mandamus for directing the D.G.P., Punjab to appoint his son in the police department against a suitable post.

Counsel would submit that the petitioner had joined the Police Department as a Constable in the year 1989. Petitioner, thereafter, is stated to have participated in a number of police encounters during the days of terrorism in the years 1991-92. It is argued that as a matter of incentive and reward, son of the petitioner is entitled to be appointed in the Police Department against a suitable post.

Counsel for the petitioner has been heard at length and the case paper book has been perused.

In the petition there are no averments as regards any specific policy framed by the State and on the strength of which the prayer in the instant petition is founded. No such policy has been appended with the petition.

During the course of hearing, however, counsel has furnished a memo issued by the D.G.P., Punjab relating to the year 1996 on the subject of direct recruitment in the ranks of Constable, A.S.I and Inspector of Police, wherein reservation of 2% posts for wards of 'Deserving Police Men' is envisaged.

It is the contention raised by counsel that the claim of the petitioner seeking appointment for his son would be covered under such memo of 1996 as the petitioner himself is covered under the expression 'Deserving Police Men'.

The contention raised by counsel is wholly misconceived.

The memo of the year 1996 and placed reliance upon during the course of arguments, if, at all, would be applicable at a stage when the respondent authorities resort to the mode of direct recruitment. Rights, if any, that may emanate from such memo and in favour of the son of the petitioner could only be pressed at that stage and against 2% reservation provided therein.

The instant petition and the prayer made therein is not with regard to pressing for the 2% quota/reservation for wards of 'Deserving Police Men' in relation to any process of direct recruitment having been initiated by the respondent authorities.

That apart, even the claim put forth as regards the petitioner being a "Deserving Police Man' and having participated in encounters, does not inspire confidence. The only certificate placed on record in support of such contention is a certificate dated 13.3.2010 (Annexure P-3) issued by the Punjab Police Pensioners Welfare Association. It would be difficult to comprehend as to why a serving police official would procure a certificate

from a Pensioners' Welfare Association. Even in such certificate dated 13.3.2010 (Annexure P-3) there are no details of the operations relating to the year 1990 against terrorists and in which the petitioner has been certified to have participated.

For the reasons recorded above, no interference in the matter is warranted.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

04.10.2017
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No