

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.182 of 2017 (O&M)

Date of Decision: May 03, 2017

Ravinder and another

.....Appellants

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

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Present: Mr.Puneet Bali, Senior Advocate with  
Mr.Ranjit Saini, Advocate, for the appellants.  
Mr.Amar Vivek, Additional AG, Haryana.

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**Surya Kant, J.** (Oral)

Notice of motion to respondent Nos.1 to 3 only at this stage.

On our asking, Mr.Amar Vivek, learned Additional Advocate  
General, Haryana, accepts notice on their behalf.

Let three copies of complete paper book be handed-over to him  
during the course of day failing which this order shall be automatically  
recalled and the appeal shall be deemed to have been dismissed for non-  
prosecution.

It is not necessary to serve respondent No.4 at this stage as he is  
a proforma respondent only.

The appellants claim themselves to be outstanding sports  
persons who have won awards in Asian Championship. On the basis of their  
sports achievements, the appellants applied for appointment in Government  
service in the State of Haryana. As no decision was taken for a considerable

Learned Single Judge vide order under appeal has dismissed their writ petition observing that no outstanding sports person has a right to appointment and that he can have a right of consideration which need not be always recorded in writing and conveyed. It is further observed that eligibility has nothing to do with the right to appointment.

Having heard learned counsel for the parties, we find that attention of the learned Single Judge was not drawn to the stand taken by the official respondents in their written statement dated 21.11.2016 where in preliminary submission No.2, it was candidly acknowledged that:-

“.....As the petitioners have won medals in Asian Dragon Boat Championship, 2012. Therefore, the petitioners are eligible for Group 'C' posts in terms of notifications dated 20.08.2013 and 15.07.2014 of this Department.....”

In para No.4 of the preliminary submissions, the official respondents have further averred as follows:-

“.... That the case of the petitioners for providing Government Job as per their achievements had been put up before the committee headed by the Chief Secretary to the Government of Haryana and the decision on the above is awaited.....”

In the light of the above reproduced stand taken by the official respondents, namely, that the appellants have been found eligible for appointment for Group 'C' posts or that their case has been put up before the Committee headed by the Chief Secretary to Government of Haryana and final decision is awaited, we allow this appeal in part; set-aside the order passed by the learned Single Judge and dispose of the appellants' writ petition with a direction to the Committee headed by the Chief Secretary to

with the Government policy within a period of two months from the date of receiving a certified copy of this order. If the appellants are found entitled to appointment on any post, same be offered to them within one month thereafter.

Ordered accordingly.

Dasti.

[SURYA KANT]  
JUDGE

May 03, 2017  
*mohinder*

[SUDIP AHLUWALIA]  
JUDGE

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