

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**C.M No. 7403-CII of 2017 in/and
C.W.P No. 4283 of 2009**

Date of decision: 27.08.2018

Suresh Kumar

... Petitioner

Vs.

State of Haryana & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Gunjan Mehta, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (Oral)

C.M No. 7403-CII of 2017

Application for early hearing is allowed .

By the consent of learned counsel for the parties, matter is
taken up on Board for final disposal.

C.W.P No. 4283 of 2009

Heard learned counsel for the parties.

The petitioner was in service as Junior Basic Teacher in Haryana School Cadre. He had applied for the post of lecturer against the advertisement published in the year 1999. He applied under the category of Wards of Freedom Fighter for the post of Lecturer (Political Science). In the advertisement 04 posts of ESM, General Category were advertised. Government Instructions provide that only in case an Ex-serviceman was not available then the vacancy could be diverted to consider the case of an eligible ward of Freedom Fighter. Four candidates were selected for the post of Lecturer (Political Science) and therefore diversion was not possible. In these circumstances, the petitioner cannot claim as a matter of right consideration for the post of Lecturer (Political Science) from the category of Ward of Freedom Fighter.

This factual position is not disputed in the pleadings or at the hearing of the case. In these circumstances, I have no reason to interfere in the matter and accordingly dismiss the petition. It may also be recorded that the selection to the post advertised on 14.11.1999 has been concluded long ago and this petition had filed in the year 2009 after a considerable and inordinate delay of a decade. The petitioner is about 48 years old and considering all the aspects of the case apart from the above, it would not be possible to accommodate his claim at a belated stage for the post of Lecturer although he may be serving as a Junior Basic Teacher.

Dismissed.

August 27, 2018
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(RAJIV NARAIN RAINA)
JUDGE

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