

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

CWP-14694 of 2016

Date of Decision: 10.12.2018

RAHUL PHOGAT AND ORS

....Petitioners

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RITU BAHRI, J.(Oral)

The petitioners are seeking directions to the respondents to send the petitioners for promotional course-Lower School Course as they have already qualified the eligibility test (B-1) under 55 % quota for the said promotional course in year 2014, itself.

On notice of this writ petition, written statement of Mamta Singh, IPS, Inspector General of Police, South Range, Rewai has been filed on behalf of respondent No. 1 to 5. In preliminary submissions it is stated that the petitioners are employees of South Range, Rewari which is related to Districts Mahendergar, Nuh (Mewat) & Palwal. The petitioners have participated in the written test and other physical activities during selection of candidates for enlistment in list 'B'. None of the petitioners except Ct. Sabbir Hussain No. 1101/PWL & Ct. Anil Kumar No.671/MWT) could be succeeded in the final selection because of their lower rank in the final merit list.

Both successful candidates had already enlisted in list 'B' and accordingly have passed Lower School Course in batch No.61. 31 seats to District Palwal, 18 seats to district Mahendergarh and 18 seats to district Mewat were allotted in the year, 2014.

Pursuant to the pendency of the CWP No. 11073 of 2015, the Director General of Police directed to all the units of Police department to declare the result of 80% of allotted seats in the year-2014 for B-1 Test. 20% seats were kept reserved in compliance of direction issued by the Director General of Police, Haryana vide WAN message No. 6497-6542/T-2 dated 24.07.2015 (annexure R-1). Consequently, results of 25 seats of District Palwal, 14 seats of district Mahendergarh and 14 seats of district Mewat were declared. None of the petitioner succeeded to find the place in the result declared for 80% seats except the petitioners No. 2 and 6. Petitioner No.1 -Constable Rahul Phogat was at Serial No.15 in the list of Mahendergarh whereas, result was declared for 14 seats and 4 seats were kept reserved for scheduled caste category against allotted 18 seats. Petitioner No.3-Constable Ravinder Kumar, petitioner No. 4-Constable Sahun Ahmad, petitioner No. 5-Constable Sahid Hussain, petitioner No. 6- Constable Sabbir Hussain, and petitioner No. 7-Constable Om Parkash were at serial No. 28, 26, 27, 18 and 29 respectively in the list of Palwal District, whereas, result was declared for 25 seats and 6 seats were kept reserved for scheduled caste category against allotted 31 seats. Petitioner No.6- Constable Sabbir Hussain was successful candidate at Sr. No. 18 and have

passed Lower School Course in batch No.61. Similarly, petitioner No.2-Constable Anil Kumar was at serial No.8 in the list of District Mewat, whereas, result was declared for 14 seats and 4 seats were kept reserved for scheduled caste category against allotted 18 seats. Petitioner No.2-Anil Kumar was successful candidate at serial No. 8 and have passed Lower School Course in batch No.61. As far as the other petitioners are concerned it is submitted that they can submit their representation before the Grievance Redressal Cell constituted under the State Litigation Policy, 2010 at Range level as well as State level at Police Headquarter, Panchkula. The petitioners have not filed any replication but disputed the final result of the selection for the year 2014, hence, the writ petition is dismissed.

[RITU BAHRI]
JUDGE

December 10, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no