

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 21.02.2018****CWP No.2126 of 2014**

Sudharshan Saini

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINAPresent: Mr. S.K.Sharma, Advocate,
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. K.K.Gupta, Advocate,
for respondent No.4.**RAJIV NARAIN RAINA, J. (ORAL)**

Heard.

Learned Law Officer representing the State of Haryana and Mr. K.K.Gupta, learned counsel appearing for respondent No. 4, vehemently assert that there is no post known as Additional Sub Divisional Engineer in the Board of School Education, Bhiwani, Haryana. Mr. Sharma is hard pressed to resist outcome of the petition. To accomplish his objective in seeking relief, the petitioner relies on a notification dated 05.09.2007 of the Haryana Government, relating to a department where such a post exists, not in the Board but in the Public Works Department, Haryana. There is only one post of Junior Engineer in the Board, which is occupied by the petitioner. His claim is built on parity with a post in the Public Works Department, which claim is not tenable because the demands of the Board

and the PWD are different. Moreover, a case of discrimination inter-se department/Board is not sustainable as this is not an enforceable facet of Article 14 of our Constitution. Court cannot order the creation of a post, nor on the asking of the petitioner.

Be that as it may, it is noticed that the Board had moved the request of the petitioner to the State Government for appropriate orders, but the request has been rejected. I do not in view of the above facts and circumstances find any intrinsic or apparent error in the reasons contained in the rejection order.

The petition is found devoid of merit and is dismissed.

21.02.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>