

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-21824-2018

Date of decision: 30.08.2018

Mahipa**...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM:HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Vipin Yadav, Advocate for the petitioner.

Ritu Bahri, J. (Oral).

The petitioner is seeking benefit over and above the ex-servicemen (ESM BCB) category candidates. He is a dependent of ex-serviceman and has got 82 marks whereas the last candidate in the ESM BCB has got 79 marks who has been selected.

Learned counsel for the petitioner contends that as per the advertisement on account of the non-availability of ESM category candidate, the right of dependents will be considered. This condition is arbitrary as meritorious dependents of ex-servicemen will never get opportunity of job in this category. This argument is liable to be rejected as the priority is to ex-servicemen and thereafter their dependents who are wife/widow, dependent sons/daughters as per the instructions. Keeping in view that the petitioner has a right of appointment even in the general category if he secures marks at par with the general category. He has secured 82 marks and he is at sr. no. 1 in the waiting list. If one of the selected candidates does not join, his case can be considered.

Dismissed.

30.08.2018**Divyanshi****(RITU BAHRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

:

:

Yes/No
Yes/No