

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

203

CWP No. 16912 of 2016
Decided on: 27.2.2019

Ajay Kumar and others

.....Petitioners

Versus

State of Haryana and others

....Respondents

2. CWP No. 2917 of 2016

Smt. Rimpay Narwal and others

.....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mahesh Kumar Sangwan, Advocate, for the petitioners
(in CWP No. 16912 of 2016)

Mr. Parveen Kumar Guria, Advocate and
Mr. Sandeep Arora, Advocate, for the petitioners
(in CWP No. 2917 of 2016)

Mr. Sandeep Moudgil, Advocate, for the respondents

Mr. Kiran Pal Singh, AAG, Haryana

Ritu Bahri, J.(Oral)

This order shall dispose of two petitions numbered above. The facts are taken from CWP No. 16912 of 2016.

The petitioners are seeking direction to the respondents to give them appointment on the post of Junior Engineer (IT) keeping in view that their land has been acquired in the year 2007 vide Notification dated 9.4.2007 under the Land Acquisition Act, 1894 (for short 'the Act') for construction of Jhajjar Thermal Power Plant, Khanpur.

The award of the Collector under Section 11 of the Act was passed on 24.4.2008. Subsequently, land was also acquired in 2007 for another project in village Khanpur Khurd.

Pursuant to the acquisition proceedings, the State Government in order to rehabilitate/re-settle the land owners has issued a comprehensive policy on 9.11.2010 (Annexure P1) as one time measure to give appointment to those land owners whose minimum 2 acres land has been acquired. Decision was also taken to provide a job to them in Government/its Boards/Corporations/PSUs in Group C and D, subject to incumbent fulfilling the qualifications prescribed for the posts.

In the case of the petitioners, they were offered appointment on the posts of LDC and appointment letters dated 1.2.2014 and 30.1.2014 (Annexures P4 to P6) were issued to them and the petitioners accepted the same.

The petitioners made representations to the respondents Annexure P13 that they should be appointed on the post of JE (IT) and have placed on record their BE degrees dated 30.9.2013, 5.3.2014 and 22.2.2013, which are Annexures P7 to P9. Their claim was rejected vide letter dated 2.12.2015 (Annexure P12) and therefore, the present writ petition has been filed.

On notice of this petition, the respondents have filed reply. Pursuant to the decision taken by the Government to give job to the land owners whose minimum 2 acres of land has acquired, 555 posts were identified for appointment under the above said Scheme, details of which are given in para 7 of the preliminary submissions of the reply.

A perusal of the aforesaid details shows that these 555 posts

included the post of ANM/LDC. No post of Junior Engineer (IT) was identified for giving appointment to the land oustees. Moreover, the petitioners have accepted the appointment for the post of LDC in 2014 vide Annexures P4 to P6 and cannot claim that their case be considered for the post for which was never identified.

The petitions is dismissed.

Photocopy of this order be placed on the connected case files.

(RITU BAHRI)
JUDGE

27.2.2019
Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No