

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

CWP-14877-2017 (O & M)

Date of decision: 06.05.2019

Sukhwant Singh

.... Petitioner

V/s

State of Punjab and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vaibhav Sehgal, Advocate, for the petitioners.

Ms. Anu Chatrath, Addl.A.G., Punjab.

Rajan Gupta, J. (Oral)

Petitioner has sought a writ in the nature of mandamus to direct the respondents to select the petitioner as Intelligence Assistant Constable in the category of lineal descendants of Ex-serviceman category (LDESM). It has been urged before the court that petitioner could not mention the category of LDESM as there was no such column. According to him, persons lower in merit in the said category have been selected.

Reply by way of affidavit of Satinderpal Singh, Assistant Inspector General of Police, Headquarter Intelligence, Punjab, has been filed. Learned State counsel has referred to same and submits that there was a specific column as regards the LDESM category which petitioner did not fill. He only mentioned his category as SC in the form. In view of same, the petitioner was considered under the SC category.

I have heard learned counsel for the parties and given thoughtful consideration to the facts of the case. During the course of hearing, learned State counsel has produced number of applications where

other candidates have stated their category as LDESM and have been considered against the same. There were 80 candidates in this category, out of which, 13 have been selected. As the petitioner failed to make his mark under the SC category, as an afterthought, he made an effort to be considered against the LDESM category. It is evident that in the application form, there was a column which required the candidate to fill-up category to which he belonged. The petitioner did not mention LDESM against the same. Thus, he was not considered against the said category.

The petition is without any merit and is hereby dismissed. It is evident that the petitioner has made certain misleading averments for which he needs to be burdened with costs. However, keeping in view that he is just an applicant for a post and may have financial constraints, this court refrains from doing so.

May 06, 2019
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No