

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

**CWP NO. 21053 OF 2015
DATE OF DECISION : 01.05.2019**

Gaurav Singh

...Petitioner

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Harit Sharma, Advocate,
for the petitioner.

Mr. Abhay Pal Singh, AAG, Punjab.

Mr. Tarun Kumar, Advocate for
Mr. Nitin Kaushal, Advocate,
for respondent No.2.

ARUN MONGA, J. (ORAL)

1. The short controversy in the present writ petition is whether the impugned letter dated 19.11.2014 (Annexure P-7) is in consonance with Clause 7 of the advertisement issued by the Punjab State Cooperative Bank Limited, for recruitment to the post of Data Entry Operator, wherein certain reservations have been envisaged for sons/daughters/grand-sons/grand-daughters of only those freedom fighters who belong to State of Punjab.

2. For ready reference, Clause 7, *ibid*, is reproduced herein below :

"7. The benefit of reservation would be given to the sons/daughters/Grandsons/Grand-daughters of only those freedom fighters of Punjab State who have been granted a Freedom Fighters Pension from Govt. of Punjab, for being freedom fighters or have been awarded TAMRA PATTRA from Govt. of India."

3. A perusal of the above clause, makes it evident that benefit of reservation is to be given to sons/daughters/ grand-sons/grand-daughters of freedom fighters in the following categories :

- a) Freedom fighters of Punjab State who have been granted freedom fighters pension from Government of Punjab; or
- b) Freedom fighters of Punjab State who have been awarded Tamra Patra from Government of India.

4. Learned counsel for the petitioner submits that admittedly grand-father of the petitioner, though a TAMRA PATTRA awardee from Government of India, belonged to State of Uttar Pradesh. He submits that those who have been awarded TAMRA PATTRA need not be from State of Punjab and the right interpretation of the above clause in freedom fighter from India who has been given TAMRA PATTRA can apply.

5. I am afraid that the said interpretation is totally misplaced as Clause 7 is very clear that reservation is made for freedom fighters belonging to State of Punjab alone. The said

clause in any case has not been challenged in the present proceedings.

6. In view of my above discussion, the writ petition is dismissed with liberty to the petitioner to challenge Clause 7 of the advertisement (Annexure P-1), if so advised.

(ARUN MONGA)
JUDGE

MAY 01, 2019

shalini

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