

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1476 of 2019 (O&M)
Date of Decision :30.08.2019

Varun Sharma

.....Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Rakesh Nagpal, Advocate for the appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral):

This is an *intra court* appeal, under clause X of the letters patent directed against the judgment and order dated 24.07.2019, passed by the learned Single Judge dismissing the writ petition filed by the appellant herein seeking a mandamus to command the respondents to forward his case through proper channel for consideration/selection of HCS (Executive Branch) from Register A-II of Members of Group-C, in pursuance to advertisement issued for the purpose.

It is undisputed that the petitioner is working as Assistant in District Rural Development Agency (DRDA), and thus, is not a State Government employee. It is also undisputed that the eligible members of Group-C service of the State Government are eligible to participate in the same. Learned counsel for the appellant vehemently contends that since vide notification dated 09.01.2019, the DRDA has adopted the service rules

applicable to the employees of Haryana Government and as such the appellant-petitioner also become a State Government employee.

The argument is totally misconceived, merely because the service rules applicable to the employees of the State of Haryana has been adopted by the DRDA that automatically will not make him an employee of State Government. Further, an identical issue has already been considered by the Division Bench in CWP No.19790 of 2019 wherein vide a detailed judgment and order dated 29.07.2019 while upholding the validity of Rule 10 of Haryana Civil Service Rules Executive Branch 2008, similar argument was repelled and the writ petition was dismissed.

In view of the above facts and the legal position, we do not find any infirmity in order passed by the learned Single Judge which may require any interference. The appeal being devoid of merit and accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

30.08.2019

Manoj Bhutani

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