

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.11360 of 2015 (O&M)

Date of Decision: 22.01.2019

Sandeep Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Tejpal Singh Dhull, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Sourabh Goel, Advocate
for respondent Nos.2 and 3.

ARUN MONGA, J. (ORAL)

1. The petitioner contends that vide Resolution dated 24.07.1985 (Annexure R2/1), the Board of Administrators of the Shahabad Cooperative Sugar Mills Ltd. Shahabad (M), decided that one member from the family of each person who has given their land to the Sugar Mills be appointed in the Sugar Mill on the post for which he is found suitable by the competent authority. He contends that petitioner is grandson of the land owner whose land was acquired by the Sugar Mill, which is not factually controverted by the respondents.

2. Learned counsel for the respondent/Sugar Mill submits that earlier the land owner had given the names of his nephew and another relatives to be considered for the purpose of seeking employment, therefore, the case of the

petitioner was not considered. In any case, he admits that no benefit of employment was given to the said relatives of the land owner on the ground that they were not direct member of the family. It is, therefore, conceded position that petitioner though member of the family but has not been considered as per the Resolution dated 24.07.1985.

3. Learned counsel for the petitioner points out that the posts were advertised in year 2014. Pursuant thereto, vide his application dated 18.06.2014 (Annexure P-8) he applied for the post of D.C.S. Operator (Instrumentation) as he is holding qualification of B.Tech (Electronics and Commerce) and is suitable for the said job. However, the petitioner has not been given the benefit of the resolution dated 24.07.1985 (Annexure R2/1) on the ground that he belatedly approached the respondents seeking benefit of said resolution.

4. Learned counsel for the petitioner points out that non-grant of benefit of the Resolution is discriminatory qua the petitioner whereas all others similarly situated family members of the various land owners have been granted the benefit of job in the Sugar Mill, as reflected in (Annexure P-5).

5. In view of the above, the present petition is disposed of with the direction to respondent No.2 to consider the case of the petitioner as per Resolution dated 24.07.1985 by passing a speaking order within a period of two months from today.

22.01.2019

rekha sharma

(ARUN MONGA)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>