

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

248

CWP-2897-2020

Date of Decision: 19.02.2020

Parveen Kumar and others

..... Petitioners

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr.Satish Mishra, Advocate for the petitioners.

Mr. Gaurav Pathak, Central Govt. counsel for
the respondents.

NIRMALJIT KAUR, J (ORAL)

The prayer in the present writ petition is for directing the respondents to re-conduct the test of 1600 mts. run for the Recruitment Rally of Una (HP) for Junior Commissioned Officer (Religious Teacher) Category on account of arbitrariness and illegality in following the standard procedure as advertised.

While praying for re-conducting of the test of 1600 mts. run, it has been contended that less time was granted to complete the race to two of the groups. Instead of 8 minutes, in comparison to one of the group which led the ousting of all the petitioners from the selection. It is further stated that the petitioners protested outside the venue and objected to the unfair and indifferent attitude of the officials towards them, however, their grievance was not heard. They also gave their written application on

16.01.2020 which is placed on record as Annexure A-3 which was responded vide their letter dated 27.01.2020.

Reply has been filed. As per the said reply, the allegations of the petitioners were baseless and were made only in the wake of not getting a retrial, with a further assertion that all the groups of RT (JCO) were given the equal stipulated time of 8 minutes for completing a run of 1600 mts. It is further stated in the said reply that the candidates were duly informed about the grievance cell in the rally site for resolution of any genuine representation. However, the petitioners did not report their grievance regarding any unfair treatment at the rally site. Their application dated 16.01.2020 is an after thought.

At this stage, learned counsel for the petitioners stated that some people had jumped into the race and disrupted their race and it has been duly videographed, therefore, the entire race is marked with controversy. However, nothing about the same has been mentioned in the writ petition. Although there is nothing before this Court to doubt the reply filed by the State, nevertheless the matter involves disputed question of facts, and this Court does not deem it proper go into the disputed question of fact while exercising the power under Article 226 of the Constitution of India.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

19.02.2020
Satyawan

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