

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

**CM No.9523-CWP of 2020 in/and
CWP No.15184 of 2019(O&M)
Date of Decision: December 15 , 2020.**

Navdeep Sharma

..... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. JPS Sidhu, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

CM No.9523-CWP of 2020

Prayer in this application is for preponement of hearing of the main petition, listed for 04.01.2021.

Notice of the application was issued to the respondents.

Heard.

Keeping in view the facts and circumstances and with consent of learned counsel for the parties, hearing of the writ petition is preponed from 04.01.2021 for today.

CWP No.15184 of 2019(O&M)

This petition has been filed for setting aside order dated 18.04.2017 (Annexure P6) whereby the petitioner has been denied the benefit of policy dated

08.11.2011(Annexure P1) and guidelines dated 03.03.2014 (Annexure P2). Petitioner's claim for appointment to a post under category 'C' or 'D' as per his qualification, on account of acquisition of land in question in terms of the policy/guidelines as above, was rejected.

The petitioner's claim was considered and rejected by the Deputy Commissioner, Mansa vide impugned order dated 18.04.2017, while observing that though the petitioner fulfills the eligibility criteria in terms of the policy/guidelines, but he did not apply within the stipulated time i.e. by 31.03.2013, as per the Government policy.

Learned counsel for the State is unable to deny that the present matter is squarely covered by the decisions dated 09.01.2020 in CWP-1861-2016 and CWP-1597-2016, CWP-12690-2016 and CWP-20018-2016.

Present writ petition is thus disposed of in terms of decision dated 09.01.2020 in CWP No.12690 of 2016. Accordingly, impugned order dated 18.04.2017 (Annexure P6) passed by the Deputy Commissioner, Mansa, is set aside. Deputy Commissioner, Mansa/competent authority is directed to decide the petitioner's claim afresh as per policy dated 08.11.2011(Annexure P1) and guidelines dated 03.03.2014 (Annexure P2) within three months by passing a speaking order.

December 15 , 2020.
'om'

(LISA GILL)
JUDGE

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