

661-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-13495-2000 (O&M)

Date of decision: May 24, 2022

Anil Kumar

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D. Sharma, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 2000, *inter alia*, for issuance of a writ in the nature of Mandamus directing the respondents to appoint the petitioner on the post of Forest Ranger in the Forest Department, Haryana in pursuance of his selection under Scheduled Caste category and also in view of availability of posts, as is apparent from the facts and circumstances of the case.

2. Petition was admitted for hearing on 27.03.2003.

3. When taken up for final adjudication, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, from perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may in particular be had to the stand taken in Paras-4 to 6 of the reply on merits of the reply filed by respondents No.1 & 2.

5. The defense taken is that on receipt of approval for de-reservation of five posts accorded by respondent No.1 vide letter dated 2.4.96, the first two candidates of General category from waiting list were also deputed for 1996-98

Forester Training Course at Haldwani. Thus nine candidates were deputed for Forest Ranger Training against the advertisement of seven posts. A requisition of six posts of Forest Rangers (four for Schedule caste and two for Ex-servicemen category) was later sent to respondent No.3 by respondent No.2 on 10.8.1995. These posts were also advertised by the SSSB and after due process of selection, a select list of 12 candidates was recommended (Annexure P-4), out of which seven were from Scheduled caste category and five from Ex-servicemen or dependent of ex-servicemen category. In this select list of 12 candidates, petitioner's name appeared at S. No.10 (not 9 as alleged). And out of the seven candidates belonging to Schedule Caste category, petitioner's name was at S. No.6 (not 4) in order of merit of Schedule Caste candidates. Out of these 12 candidates, seven candidates (4 of S.C. & 3 of ESM category) were deputed for 1996-98 Forest Rangers Training Course. It is thus evident that only one Ex-Serviceman candidate was sent for training in excess of the advertised post.

6. Learned State counsel has canvassed arguments on similar lines as per the defense taken in written statement.

7. I am also in agreement with the stand taken by the respondents.

8. In view of the aforesaid, no grounds are made out to interfere.

9. Dismissed.

(ARUN MONGA)
JUDGE

May 24, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No