

Sr. No.519

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-6375-1999 (O&M)
Date of decision: 12.05.2022

Satinder Kumar and another	Vs.	...Petitioners
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari to quash the order dated 27.11.1998 (Annexure P-11) vide which respondent No.5-Bharat Singh was selected as Associate NCC Officer in Government Senior Secondary School, Palwal claiming that even though he is less meritorious than the petitioners and has taken admission by submitting a false certificate.

2. Petition was admitted on 15.05.2001.

3. When called out for hearing, there is no representation on behalf of the petitioners. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioners is not admissible in view of the following stand taken in para 1 of the preliminary objection and para 4 on merit, which are reproduced herein below for ready reference:-

“1. That the above writ petition is also liable to be dismissed on the ground that the selection of Sh. Bharat Singh GSSS,

Palwal as NCC Officer is legal and according to the qualifications circulated by the department. For the selection of ANO a candidate should have qualifications for appointment as NCC officer as Annexured as R/I and same are reproduced here for ready reference:-

Qualifications for appointment of NCC officers:-

- 1. He/She should have a good moral character.*
- 2. He/She should be medically fit.*
- 3. He/She should be a citizen of India or a subject of Nepal.*
- 4. He should be a member of teaching staff and should have 3 years regular service.*
- 5. His age should be 21 to 34 years relaxable years 38 years by the Govt. of India and up to 42 years in case the junior division (wing) has obtained B and C certificate. Sh. Bharat Singh was in service from 9/93 with having more than 3 years regular service, was a member of the teaching staff, so he was rightly selected by the Board. Hence, there is no need to hold fresh interview for the selection of ANO's.*

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4. That para 4 of the writ petition needs no comments being matter of record. However, it is made clear that Sh. Bharat Singh Respondent No.5 was selected as ANO as per qualifications and after following proper procedure. So the selection of Sh. Bharat Singh Master GSSS, Palwal, as ANO is legal sustainable in the eyes of law."

5. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

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

7. Dismissed.

12.05.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No