

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

123

LPA NO. 458-2022

Date of Decision: August 10, 2022

SATPAL

...APPELLANT

Versus

STATE OF HARYANA AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Munish Mittal, Advocate,
for the appellant.

Mr. Pravinder Singh Chauhan, Sr.Addl. A.G. Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order passed by the learned Single Judge dated 29.03.2022, whereby the writ petition preferred by the petitioner (appellant herein) challenging the orders passed by the authorities, whereby the challenge was to the appointment of Rajesh Kumar-respondent No. 4 on the post of Chowkidar, has been dismissed both in the appeal as well as in the revision petition preferred by the appellant.

It is the contention of the learned counsel for the appellant that the resolution of the Gram Panchayat, on which reliance has been placed by the authorities to conclude that the Gram Panchayat was in favour of Rajesh Kumar for appointment to the post of Chowkidar, has not been dealt with by the authorities although the said plea had been taken before the appellate authority as well as the revisional authority. Counsel further contends that this issue was also pressed before the authorities but the same has not been dealt with.

This contention of the learned counsel for the appellant cannot be accepted as none of the orders, which have been placed on record, indicate such an issue having been adjudicated before the said authority. Had it been so, the appellant should have moved an appropriate application before the said authority pointing out the same, which, unfortunately, there is none. The order passed by the learned Single Judge is well reasoned and, therefore, does not call for any interference as we also do not find any perversity in the orders which have been passed by the authorities upholding the appointment of Rajesh Kumar-respondent No. 4, especially when the opinion of the appointing authority i.e. the Collector is to be given precedence over the opinion of the other authorities.

Finding no merit in the present appeal, the same stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

August 10, 2022
pj

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No