

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-18257-2022

DATE OF DECISION: 17.11.2022

ASHWANI

... Petitioner (s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a direction to the respondents to consider his candidature for the post of Assistant Lineman.

Learned counsel for the petitioner submits that the petitioner had applied for the post of Assistant Lineman in the Dependent of Freedom Fighter Category. He had secured 35 marks. He also submits that 14 posts are lying vacant in the Ex-serviceman category which could be made available to the Dependent of Freedom Fighter wherein the petitioner is eligible.

Issue notice to the respondents.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana accepts notice on behalf of the respondents and submits that there were only 14 posts. He, however, submits that all the posts which had been unfilled in the ESM category cannot be offered to Dependent of Freedom Fighter as in the advertisement itself it was set out that the vacant posts in the Dependent of ESM category could be offered to Dependent of Freedom Fighter only to the

extent of 2%. All these posts have been filled up. He, upon instructions from Mr.Dikansh Goyal, Law Officer, HSSC, submits that no candidate, who has secured less marks than the petitioner, has been selected in the category of Dependent of ESM and even, no Dependent of Freedom Fighter candidate has been selected.

Heard.

The petitioner, who had applied for the post of Assistant Lineman in the Dependent of Freedom Fighter category, had secured 35 marks. It is not the contention of the learned counsel for the petitioner that any candidate, who is below him in merit in his category, has been selected. Respondent No.3 has scored 38 marks and has been selected on this post. It is clearly spelt out in the advertisement that vacant posts in the Ex-serviceman category could be filled up through Dependent of Freedom Fighter only to the extent of 2%. If 14 posts remain vacant in Ex-serviceman category then the number of posts which could be diverted to Dependent of Freedom Fighter would be .28 % which is insignificant.

Consequently, the petition being devoid of merit, stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

17.11.2022

SwarnjitS

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