

104.

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

CWP-20091-2021

Date of Decision: 06.09.2022

SUKHDARSHAN SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ripudaman Singh Sidhu, Advocate, for
Ms. Amandeep Kaur, Advocate, for the petitioner.

Ms. Deepali Puri, Additional Advocate General, Punjab.

JAISHREE THAKUR.J (Oral)

The petitioner herein seeks appointment to be offered to him pursuant to having applied for the post of Constable against the Ex-serviceman quota under the Punjab Armed Police under advertisement issued in the year 2016.

Counsel appearing on behalf of the petitioner would contend that being successful in the selection process, he was offered a Constabulary number, however, has been removed from service by relying upon Rule 12.6. It is contended that the respondent State has not taken into account the fact that under the FIR that was registered against him, he had already stood acquitted and is being denied appointment on the ground that there was another FIR registered against him under Section 379 IPC which again was registered only on account of party faction, in which he already stands acquitted vide order dated 22.09.2017, Annexure P-5.

On the other hand, learned State counsel would submit that the petitioner herein though given appointment cannot be allowed to retain the said post.

At this stage, the limited prayer made by the counsel for the petitioner is that the representation of the petitioner, Annexure P-6, dated 22.09.2017, be decided by the authorities concerned after giving him one opportunity of personal hearing.

Consequently, the writ petition is disposed of by giving a direction to the respondents to give one opportunity of personal hearing to the petitioner herein. The petitioner to put an appearance before the Commandant, 75th Battalion, Punjab Armed Police, Jalandhar on 14.09.2022 at 11.00 AM and in case that date is not convenient, any other date may be fixed and a decision be taken by passing a speaking order and communicated to the petitioner herein.

(JAISHREE THAKUR)
JUDGE

06.09.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No