

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 4702 of 2016 (O&M)

Date of Decision: 02.02.2023

Kuldeep Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner(s).

Mr. R.K.Kapoor, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

CM-2655-CWP-2017

1. The application is allowed, as prayed for. The document (Annexure P7) is taken on record.

CM-13764-CWP-2019

2. The application is allowed, as prayed for. The document (Annexure P8) is taken on record.

CWP-4702-2016

3. The petitioner is working as a Home Guard. He prays for issuance of a writ petition in the nature of mandamus to award him constable number or in other words, induct him as a Constable in the Punjab Police. He claims that on account of his exceptional act of bravery, two accused with illegal arms were apprehended.

“Learned State Counsel seeks time to re-consider the case of petitioner in terms of Instructions dated 22.05.2014 (R-2).

Necessary exercise be done as per law before the date fixed.
Posted on 02.02.2023.

Needless to say that if there is any other instructions or standing orders, applicable for the controversy, the same shall also be taken into consideration.”

5. Mr. R.K.Kapoor, Additional Advocate General, Punjab, has submitted an affidavit of the Deputy Superintendent of Police (Administration), Government Railway Police, Punjab, Patiala. In para 6 thereof, the following assertion has been made:-

“6. That the Committee constituted for the said purpose has examined the case of petitioner from all legal aspects and found that the duty performed by the petitioner cannot be considered as the exceptional act of bravery and further he also does not fulfill the requisite conditions as detailed below:-

<i>Particulars</i>	<i>Prescribed criteria for recruitment</i>	<i>Particulars of PHG Kuldeep Singh No. 8017</i>	<i>Reasons</i>
<i>Age</i>	<i>18 to 28 years</i>	<i>48 years, 05 months, 19 days (as on 21.08.2015)</i>	<i>Over-aged</i>
<i>Education Qualification</i>	<i>12th</i>	<i>6th Standard</i>	<i>Does not have requisite qualification and no relaxation can be granted as per instructions dated 22.05.2014.</i>

6. The learned counsel representing the petitioner admits that the petitioner does not possess the requisite academic qualification.
7. Keeping in view the aforesaid facts, the petitioner has failed to make out a case for issuance of the writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

February 02, 2023
“DK”

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