

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

105

**CWP-3302 of 2017 (O&M)
Date of decision:15.03.2023**

Gulab Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.P.S.Sidhu, Advocate
for the petitioner.

Mr. Gurpreet Singh, Addl. A.G., Punjab

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for the issuance of a writ in the nature of mandamus to direct the respondents to appoint his daughter-in-law or one family member in the government job on account of the involuntary acquisition of the land as per the award passed on 25.03.2011 under Section 11-A of the Land Acquisition Act, 1894.

2. On 08.11.2011, the Electricity Department came out with the policy instructions to consider the claim of one family member for appointment in government job provided their land has been acquired compulsorily by the Government for that project. The minimum educational qualification eligibility for the said appointment was 10+2. Subsequently, vide decision dated 28.02.2014, the requirement of the minimum educational qualification was relaxed and it was notified that the minimum educational qualification shall be the qualification required for the post for which an application is being submitted by the applicants. In this case, the petitioner submitted an application on 10.09.2014 for release of the compensation as well as to provide job to one of the family members which was followed by the representation dated 27.12.2016. The petitioner also sent a notice to the

respondents on 24.05.2016, whereas this writ petition was filed in February, 2017.

3. The learned counsel representing the petitioner submits that the petitioner wishes that his son Sh. Jagdeep Singh should be appointed to the said post.

4. On a court question, the learned counsel has disclosed that Sh. Jagdeep Singh was born in the year 1992 and he has studied upto 5th standard only. The learned counsel further admits that the petitioner was eligible to be appointed in the year 2014 once the amended policy was adopted by the Department of Power vide policy decision dated 03.03.2014. The petitioner filed the writ petition only in the year 2017. The purpose of such policy decision is to rehabilitate the family of the displaced persons on account of the compulsory acquisition of the land as concession. Such offer cannot be treated as a privilege granted. The petitioner has slept over his right for nearly 3 years. No explanation has been furnished for not coming to the court in the years 2014, 2015 and 2016. Now, in the year 2023, the petitioner's son is 31 years old.

5. In such circumstances, this court does not find it appropriate to issue the writ.

6. Dismissed.

7. All the pending miscellaneous applications, if any, are also disposed of.

March 15, 2023
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(ANIL KSHETARPAL)
JUDGE

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