



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

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**CWP-3109-2019 (O&M)
Date of Decision :20.05.2024**

Ravi Kumar**...Petitioner**

Versus

State of Haryana and another**....Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Neeru Bansal, Advocate for the petitioner.

Ms. Vibha Tewari, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

In the present petition, petitioner is claiming benefit of appointment to Group-D post as advertised by the respondents vide advertisement No.4/2018 dated 26.08.2018 (Annexure P/1) being dependent of ex-serviceman.

Learned counsel for the petitioner submits that the petitioner is entitled for appointment against the posts, which are lying vacant in the category of ex-servicemen.

As per the reply filed on behalf of the respondents, all the posts advertised in the category of ex-serviceman have already been filled up from the ex-serviceman candidates only and no candidate being dependent of ex-serviceman has been appointed.

As per the respondents, even in the waiting list, ex-serviceman candidates have been placed and as per the terms and conditions of the



advertisement in case, no eligible ex-servicemen candidate is available then the benefit of appointment is to be given to the dependent of ex-servicemen candidate hence, keeping in view the fact that all the posts of ESM category have already been filled up from the ex-servicemen candidates only, no grievance can be raised by the petitioner.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is a conceded position that as per the terms and conditions of the advertisement, the posts reserved for ex-servicemen are to be offered to ex-servicemen candidate only and in case, no eligible ex-serviceman candidate is available to be appointed, then, the dependents of the ex-serviceman are to be considered. As per the reply filed by the respondents, all the posts advertised in the category of ex-serviceman have already been filled up from the ex-servicemen candidate only and not even a single candidate being dependent of ex-servicemen candidate has been appointed to the post in question.

Keeping in view the fact that all the posts advertised have already been consumed by the ex-servicemen candidates, no relief as claimed by the petitioner in the present petition can be extended to him and the present petition is accordingly dismissed.

Civil miscellaneous application pending, if any, is also disposed of.

May 20, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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