

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

(238)

CWP-816-2020

Date of Decision : January 15, 2024

Major Singh**.. Petitioner****Versus****Haryana Staff Selection Commission and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. R.S. Mamli, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that the petitioner, who is the dependent of Freedom Fighter, has not been considered for scrutiny of the documents for the post of Conductor in pursuance to the Advertisement No.4/2017.

2. Learned counsel for the respondents submits that as per the terms and conditions mentioned in the advertisement, in case any post advertised in the category of ex-servicemen remains vacant, then only the dependent of Freedom Fighter can be considered whereas, in the present case, all the posts of Conductor advertised under the ESM category were filled up from the ex-servicemen candidates themselves hence, no question of granting any benefit to the dependent of ex-servicemen or the dependent of Freedom Fighter arose in the facts and circumstances of the present case.

3. I have heard learned counsel for the parties and have gone

through the record with their able assistance.

4. It is a conceded fact that as per the terms and conditions of the advertisement, only the post, which remains vacant in the category of ex-servicemen, was to be given to the dependent of Freedom Fighter whereas, it has already come on record that the posts which were advertised in the reserved category of ex-servicemen have already been filled up from the ex-servicemen candidates themselves. That being the factual position, which fact has gone un-controverted, no benefit of appointment can be given to the petitioner, who is claiming the benefit under the dependent of Freedom Fighter, which post is not available in the facts and circumstances of the present case.

5. Keeping in view the above, no ground is made out for the grant of any benefit as being claimed in the present writ petition.

6. Dismissed.

January 15, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No