
(2014) 05 P&H CK 0255
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 1279 of 2013 (O&M)

Kehar Singh

APPELLANT

Vs

Commissioner, Ambala and Others

RESPONDENT

Date of Decision : 22-05-2014

Acts Referred:

Citation : (2014) 05 P&H CK 0255

Hon'ble Judges : Rajan Gupta, J

Bench : Single Bench

Advocate : Vineet Chaudhary, Advocate for the Appellant; Saurabh Mohunta, DAG, Haryana and Mr. H.S. Sandhu, Advocate for Respondent No. 3, Advocate for the Respondent

Final Decision : Allowed

Judgement

Rajan Gupta, J.—Reply on behalf of respondent No. 3 has been filed in court. Same is taken on record.

2. Applications were invited for appointment of Chowkidar in village Rawa due to resignation of Sadhu Ram, previous Chowkidar. As others withdrew their applications, only two candidates remained in the fray namely, Kehar Singh (petitioner herein) and Naib Singh. Sub Divisional Officer (Civil), Thanesar vide order dated 10.11.2009 appointed the petitioner as Chowkidar. Aggrieved, respondent No. 3 preferred appeal before Collector, Kurukshetra. Said authority accepted the appeal and directed appointment of Naib Singh as Chowkidar. Grievance of the petitioner is that the Collector did not consider all the issues which arose before him. He merely directed appointment of Naib Singh observing that he was more suitable. Besides, he ignored from consideration misleading of statements Annexures P-1 & P-2 made before the Collector.

3. Learned counsel appearing for respondent No. 3 has refuted the plea. According to him, petitioner being physically disabled, was not fit to be appointed to the post.

4. On due consideration of the matter, I am of the considered view that all the contentions raised before this court need to be considered by the Collector. Under the circumstances, orders Annexures P-6 and P-8 are hereby set-aside. Matter is remitted to the Collector for decision afresh after hearing the parties.

5. Petition is allowed in these terms.