

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CWP No.2504 of 2015
Date of Decision : 13.2.2015

Ram Kishan and othersPetitioners

Vs.

Union of India and othersRespondents

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CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. Deepak Balyan, Advocate for the petitioner.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this court by way of instant writ petition, under Articles 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus.

Learned counsel for the petitioners places reliance on official communications dated 12.8.2014 (Annexure P-6) and 25.8.2014 (Annexure P-7), whereby their appeal for re-medical examination was accepted by the competent authority and the case of the petitioners were forwarded to respondent no.5 for their re-medical examination. However, for the undisclosed reasons, re-medical examination of the petitioners is not being conducted by the competent authority. Repeated requests made by the petitioners have also not brought any fruit. Learned counsel for the petitioners further submits that given

an opportunity to the petitioners, they will approach the competent authority i.e. respondent no.5, within a period of three weeks from today by moving an appropriate representation and he may be directed to consider and decide the same, within a reasonable time.

Having heard learned counsel for the petitioners and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, The C.M.S./UMD Sr. Divisional Security Commissioner/R.P.F. Northern Railway, Ambala Cantt-respondent no.5 is directed that if the petitioners approach him by moving an appropriate representation within a period of three weeks from today, he shall consider and decide the same at an early date, by passing an appropriate order thereon, strictly in accordance with law. It is further directed that if the petitioners are otherwise found eligible and competent for the recruitment in question, respondent no.5 shall ensure conducting of re-medical examination without any further loss of time, so as to enable the competent authority to issue the appointment orders. Respondent no.5 shall also keep in view the directions dated 16.12.2014 issued by a Division Bench of Delhi high Court referred in para 9 of the writ petition.

With the abovesaid observations made and directions issued, the present writ petition stands disposed of.

13.2.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE