

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CWP-11629-2017

Date of decision : 18.07.2017

Mohd. Irfan and another

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Mohammad Arshad, Advocate
for the petitioner.

Mr.Hitesh Pandit, Addl.A.G. Haryana.

AMOL RATTAN SINGH, J.(ORAL)

Despite notice having been issued on 13.07.2017, a short date being specifically given in view of the fact that the petitioner is challenging the non-action of respondent no.3, i.e. the District Education Officer, Mewat, who has refused to forward the application of the petitioner to the Chief Secretary for consideration for appointment as a Clerk on transfer basis, there are no instructions forthcoming to the learned State counsel.

Consequently, this petition is disposed of at this stage with a direction to respondent no.2 to immediately forward the application made by the petitioner to respondent no.3 within a period of three days from the date of receipt of a certified copy of this order.

Upon respondent no.1 receiving the forwarded application, it shall not be rejected only on the ground that it has been received beyond the cut off date, the petitioner having approached this Court within time.

If there are any genuine reasons as to why the petitioners' application could not have been forwarded, no such reason having been shown even after notice was issued and the specific contention of learned counsel for the petitioner being that no formal order of rejection has been passed, such reasons would be given on an affidavit with a proper application to be moved in this case itself, by the respondent, the affidavit being of the Director, School Education Haryana, i.e. respondent no.2, but that too only after the petitioners' application has been duly forwarded in terms of this order.

A copy of this order be given to the learned State Counsel under signatures of the Bench Secretary of this Court.

(AMOL RATTAN SINGH)
JUDGE

July 18, 2017.
Davinder Kumar

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