

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

126

CWP No.14618 of 2017

Date of decision: 10.07.2017

Pawan Kumar

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Shekhar Verma, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

The petitioner had applied for the post of Clerk on 26.12.2015 (Annexure P3) and as per certificate (Annexure P2), he was entitled to apply for the Backward Class-A category, however, inadvertently, in the application form, BC-B was mentioned. An application, thereafter, for correction had been filed with respondent No.2-Commission on 20.06.2017 (Annexure P4). Reliance has also been placed upon the application filed for the post of Constable and Patwari (Annexures P5 & P6, respectively), to submit that the same certificate was relied upon for the said posts falling under BC-A category. It is further pointed out that interview is yet to be conducted and result is yet to be finalized.

Notice of motion.

Ms.Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to her.

Accordingly, without commenting upon the merits of the case or the delay in approaching the respondent-Commission, the present writ petition is disposed of, with a direction to respondent No.2, to take a decision on the representation dated 20.06.2017 (Annexure P4), within a period of one week from the receipt of a certified copy of this order.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.14618 of 2017

-2-

It would also be appropriate that the said respondent also takes into consideration the judgment of the Apex Court in **Ram Kumar Gijroya Vs. Delhi Subordinate Services Selection Board & another 2016 (4) SCC 754**, since the candidate belongs to BC-A category. In case there is no legal hitch, as such, the petitioner will be allowed to be considered in the category as prayed for, in his application dated 20.06.2017. In case the relief is to be denied, a reasoned order be passed and the same be communicated to the petitioner, so that he is at liberty to challenge the same.

10.07.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No