

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

**Civil Writ Petition No.17453 of 2017
Decided on : 08.08.2017**

Ram Niwas

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Jai Bhagwan Sharma, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks directions for the grant of deemed date of appointment w.e.f. 12.04.1990 as that has been given to other candidates vide order dated 15.06.2015 (Annexure P-4) who were appointed in pursuance of the selection list dated 15.10.1989 by the Haryana Staff Selection Commission.

The claim is sought on the ground that person junior to the petitioner as per the merit list prepared at the time of selection pertaining to the advertisement dated 22.07.1987 had been made senior.

Counsel submits that respondent No.3-Surender Singh who had merit No.1978 has been given that benefit vide order dated 15.06.2015 (Annexure P-4) and he had represented on 28.10.2015 (Annexure P-1) that he was at merit No.597 and also belongs to BC Category. It is in such circumstances, the benefit is sought on the ground of being in the same selection process and for being at par with other candidates.

Counsel further submits that in view of the fact that representation dated 28.10.2015 (Annexure P-1) is still pending, he would be satisfied if a direction is issued to respondent No. 2 to decide the same within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the fact that similarly situated persons are stated to have been given the said benefit of the deemed date from 12.04.1990, the present writ petition is disposed of with direction to respondent no. 2 to take a decision on the said representation dated 28.10.2015 (Annexure P-1) within a period of 3 months from the date of receipt of certified copy of the order. In case the petitioner is entitled for the said benefit, the order will be given effect expeditiously. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioner.

AUGUST 08, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No