

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

CWP-180-2017

Date of decision: 11.01.2017

Jacky Jindal & Anr.

...Petitioners

Versus

Subordinate Services Selection Board, Punjab & Anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Kapil Kakkar, Advocate,
for the petitioners.

JAISHREE THAKUR, J. (ORAL)

The instant writ petition has been filed for issuance of : (i) a writ in the nature of mandamus directing the respondents to recommend the name of the petitioners for appointment to the post of Clerk provisionally subject to their undertaking that in case lateron their documents are not found in accordance with the advertisement they shall be liable to any action as initiated by the authorities ; (ii) a writ of Certiorari quashing the list dated 10.10.2016 (Annexure P-6) to the extent that the appointment of the petitioners has been kept in abeyance.

In brief, the facts of the case are that the petitioner No.1 passed his Bachelor of Computer Application from Manav Bharti University, Solan which is a University recognized by the University Grants Commission (UGC) and petitioner No.2 has passed his Bachelor of Arts examination from Sun Rise University, Alwar (Rajasthan), which too a University as recognized by the UGC. It is contended that the petitioners having the

requisite qualification applied for the post of Clerk pursuant to advertisement No. 4 of 2015 issued in the month of November, 2015. Despite having the necessary qualification and merit, their appointment has been kept in abeyance by respondent No.1 on account of getting their documents verified regarding their educational qualification.

It is contended that the order dated 10.10.2016 (Annexure P-6) should be quashed since the University themselves are recognised as per the list (Annexure P-7) as has been uploaded on the Website of the UGC.

Mr. Kapil Kakkar learned counsel for the petitioners fairly submits that a representation has not been preferred to the department concerned before filing this writ petition seeking a mandamus along with a prayer of writ of certiorari. He submits that this writ petition should be treated as a representation and the same be decided in a time bound fashion.

After having heard learned counsel for the petitioners, I deem it appropriate to direct the respondents to decide the case of the petitioners regarding their educational qualification in a time bound fashion.

Mr. Avnit Avashti, learned AAG, Punjab who is present in Court is directed to accept notice on behalf of respondent No.1. Let three copies of the writ petition be served upon him during the course of the day.

Learned State counsel very fairly submits that the said representation will be decided expeditiously as possible.

In view of the above, the writ petition is disposed of by giving a direction to the respondents that the writ petition be treated as a representation and the said representation be decided in accordance with law expeditiously, preferably within a period of three months from the date

of receipt of certified copy of this order.

11.01.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.