

228

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

CWP-6867-2015

Date of decision-09.10.2018

Kulwant Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.H.C.Arora, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of certiorari seeking quashing the order dated 17.03.2015 (Annexure P-11) issued by respondent No.2 whereby the candidature of the petitioner was rejected and further directing respondent No.2 to include the name of the petitioner in the merit list of candidates of backward class category for appointment of Clerks.

Despite repeated opportunities, State has not filed reply in the matter.

Learned counsel for the petitioner states that case of the petitioner is covered by a judgment passed by this Court in LPA No.362-2018, titled as “**Haryana Staff Selection Commission Vs. Priyanka and others**” decided on 10.08.2018. Further, he states that at this stage he would

be satisfied, if a direction is issued to respondent No.2-Secretary, Subordinate Services Selection Board, Punjab, Forest Complex, Sector-68, SAS Nagar, Punjab to consider and decide the representations dated 25.06.2014 and 28.06.2014 (Annexure P-8 and P-9, respectively) in the light of abovesaid judgment.

Learned State counsel states that she has no objection in case the prayer made by learned counsel for the petitioner is allowed.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Secretary, Subordinate Services Selection Board, Punjab, Forest Complex, Sector-68, SAS Nagar, Punjab to consider and decide the representations dated 25.06.2014 and 28.06.2014 (Annexure P-8 and P-9, respectively) in the light of LPA No.362-2018 (supra) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

04.10.2018

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No