

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

**CWP No.3989 of 2018
Date of Decision : 20.02.2018**

Naveen Kumar

.....Petitioner

Versus

The Vice Chancellor, Central University of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajneesh Chadwal, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner competed for selection to the post of Upper Division Clerk (U.D.C), pursuant to the advertisement dated 3.5.2016, in the OBC category. He cleared the written examination and obtained 58 marks. One Basar Singh, who had obtained the highest marks i.e. 67 in his category was appointed against the 5 unreserved posts in general category. Likewise, Manish Kumar Jaiswal, who had obtained 59 marks in the OBC category did not choose to join, despite selection. Thus, the petitioner, who was at No.3 in the merit list was the next available candidate, and ought to have been considered for appointment against the only post reserved in his category. Post declaration of result on 22.03.2017, the petitioner purports to have repeatedly represented to the respondents, but to no avail. His case is that one post in the OBC category is still lying vacant. The respondents were even served with a legal notice dated 8.12.2017 (Annexure P-5), but that too has failed to evoke any response.

That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and decide the claim of the petitioner as also legal notice dated 8.12.2017 (Annexure P-5), within a period of 3 months from the receipt of certified copy of this order. And, pass appropriate orders, in accordance with law. In the event, the claim of the petitioner is declined, the respondents-authorities shall pass a comprehensive order assigning reasons in support thereof.

20.02.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

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