

CWP-23716-2019 (O&M)

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

**CWP-23716-2019 (O&M)
Date of decision : 02.09.2019**

Kuldeep

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Manoj Kumar Taya, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

Notice of motion.

On asking of the Court, Ms. Shruti Jain Goyal, DAG, Haryana,
who is present in Court, accepts notice on behalf of the respondent(s)/State.

Petitioner is seeking indulgence of this Court for quashing
impugned instruction/letter dated 24.07.2019 (Annexure P-4) issued by
respondent No.1 to the extent that petitioner shall submit sports Gradation
Certificate upto 31.08.2019 as per notification dated 25.05.2018. Further
writ of certiorari quashing action of respondents for not considering Sports
Certificate (Annexure P-2) of petitioner as valid and writ of mandamus
directing the respondents to issue Sports Gradation Certificate to petitioner
in terms of Govt. Instructions dated 30.11.1993 (Annexure P-6). In this
regard, had submitted representation dated 09.07.2019 (Annexure P-5), but
there is no adherence thereto.

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Learned counsel for the petitioner submits that petitioner is in service and owing to non-production of Sports Gradation Certificate, the Department is not allowing him to continue in service.

Without going into the merits and de-merits of the case, I dispose of the present writ petition with a direction to respondent No.2. to consider representation dated 09.07.2019 (Annexure P-5) and take appropriate decision thereon, in accordance with law, within a period of one month from the date of receipt of certified copy of this order.

It is made clear that if decision is not taken within the time frame, there shall be costs of ₹25,000/- to be paid to the petitioner by the concerned Officer, who is responsible in not taking decision. However, in case, the claim of the petitioner is to be rejected, then a well reasoned and speaking order be passed and conveyed to the petitioner.

Till then, there shall be interim stay qua termination of services of petitioner.

02.09.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**