

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

303

CWP No.25377 of 2019

Date of Decision : 24.09.2019

Anand Kaurav

....Petitioner

v/s

Union of India and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. G.S. Bajwa, Advocate with
Mr. R.K. Vashishtha, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate
for respondent Nos.2 & 3.

B.S. Walia, J. (Oral)

[1] Reply on behalf of respondent Nos.2 & 3 has been filed through Col. Tilak Bose (Retd.) CAO, IIM, Rohtak. The same is taken on record. Copy thereof handed over to learned counsel for the petitioner, who on perusal thereof states that since the respondent-Institute has not taken a decision on the application based on the medical fitness certificate, the petitioner would be satisfied if the writ petition is disposed of at this stage by granting liberty to the petitioner to file a comprehensive representation before respondent No.2 and respondent No.2 being directed to consider and decide the same in accordance with the rules & regulations applicable and medical opinion with decision to be taken on the representation within a time bound period.

[2] Learned counsel for respondent Nos.2 & 3 states that he has no objection to the aforementioned prayer of the petitioner.

[3] In the light of statement of learned counsel for the parties, the writ petition is disposed of by granting liberty to the petitioner to submit a comprehensive representation before respondent No.2 within 03 days from the date of receipt of certified copy of order. In case, any representation is submitted by the petitioner, the same be considered and decided by respondent No.2 in accordance with the rules & regulations applicable and by getting the medical records submitted by the petitioner, verified from such medical authority as it deems appropriate. Decision in respect of the claim of the petitioner be taken within a period of one week of receipt of representation and pursuant to the decision, action as may be warranted in the facts & circumstances of the case be taken.

[4] It is made clear that in the eventuality of the petitioner being aggrieved with the decision of respondent No.2, he would be at liberty to seek redress in respect thereto, in accordance with law. Writ petition ***disposed of*** with the aforementioned directions. In view of request of learned counsel for the parties, copy of the order be supplied to learned counsel under the signatures of the Bench Secretary.

(B.S. Walia)
Judge

September 24, 2019
'Rajneesh'

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