

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.26297 of 2019

Date of decision: September 17, 2019

Anup

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Jasbir Mor, Advocate,
for the petitioner.

AMIT RAWAL J. (Oral)

Contention of learned counsel for the petitioner is that in pursuance to advertisement no.4 of 2018 dated 25.08.2018, promulgated by Haryana Staff Selection Commission to fill up 18218 posts of Group D, petitioner being eligible applied for the said post under ESP-General Category as he participated in the 50th District Senior Secondary School Tournament held from 31.07.2015 to 01.08.2018. He also participated in the 50th Haryana State School Tournament held from 27.10.2015 to 29.10.2015, wherein he obtained 2nd position.

The petitioner was found successful in written examination as well as in interview and accordingly, was issued appointment letter dated 29.01.2019 (Annexure P-8). He submitted joining report on 29.01.2019. However, vide letter dated 24.07.2019 (Annexure P-9), Chief Secretary to Government Haryana informed all the Administrative Secretaries to Government Haryana for submission of the Sports Gradation Certificate by 31.08.2019 as per notification dated 25.05.2018 issued by Sports & Youth

Affairs Department failing which appointment letters would be withdrawn or entailing into termination of the same.

The petitioner had already submitted representation dated 10.09.2019 (Annexure P-13) to the Deputy Director, Youths and Sports Officers, Sports Department, Panchkula for issuance of old Gradation Certificate in the new format, but no steps have been taken so far.

Notice of motion.

On asking of Court, Mr. R.K.Doan, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents-State and brought to the notice of this Court that matters of such nature are pending before Hon'ble 1st Division Bench and learned Advocate General, Haryana has given an undertaking, that services of persons who have been appointed under Sports Category in the absence of Sports Gradation Certificate would not be terminated by 31.10.2019 and are slated for 03.10.2019

In view of aforementioned facts and without going into merit of case or commenting thereon, I deem it appropriate to dispose of present writ petition with a direction to the respondents to take decision on the representation dated 10.09.2019 (Annexure P-13) by taking into consideration all the parameters whether case of petitioner falls within the policy dated 25.05.2018 by passing a well reasoned and speaking order within a period of one month from today after affording opportunity of hearing to the petitioner.

Till the disposal of representation, termination of service of the petitioner is ordered to be stayed and two weeks thereafter, enabling the petitioner to avail the remedy, in accordance with law, if the reasoning

assigned is adverse.

In case, representation is not decided within aforementioned specified time, there shall be costs of Rs.25,000/- to be paid by the concerned officer to the petitioner.

September 17 , 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No