141

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP NO. 29121 OF 2019
Date of Decision: 17.10.2019

Sandeep and another .....Petitioners

versus

State of Haryana and another .....Respondents

CORAM HON'BLE MR. JUSTICE AMIT RAWAL

Present Mr.Manoj Makkar, Advocate for the petitioners.

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AMIT RAWAL, J (ORAL)

The grievance of the petitioners in the present writ petition is for issuance of a writ in the nature of certiorari for quashing the action of the respondents in not distributing the posts of Fitter Instructor as per reservation Policy dated 15.07.2014 (Annexure P-11) and increasing the posts by ignoring the post of petitioners under BCA category as the total reservation of the post of OBC was 27% and out of this 16% were reserved for BCA category and 11% were reserved for BCB category.

I am of the view that until and unless the petitioners does not make any representation or have the decision from the respondents would not be possible for this Court to conceive and examine or this Court cannot assume a role of an expert by exercising judicial preview the action of the respondent regarding the grievance of the petitioner.

At this stage, counsel for the petitioners submits that the writ petition may be considered as a representation.

Notice of motion.

On the asking of the Court, Mr. Hitesh Pandit, Addl. AG,

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Haryana, who is present in the Court accepts notice on behalf of State of Haryana. Requisite number of copies of petition be supplied to him during the course of the day.

Without going into the merits and demerits of the claim of the petitioners, I deem it appropriate to direct respondent No. 2 to decide this writ petition treated to be a representation within a period of two months from the date of receipt of certified copy of this order and shall pass a speaking order thereon after affording opportunity of hearing to petitioners and taking into consideration judicial precedents as well, failing which, respondent no.2 shall be liable to pay costs of ₹ 25,000/- to petitioners.

This condition of imposing costs is only to prevent petitioners to run from pillar to post and avail remedy of contempt in case of non-compliance of directions issued by this Court.

The writ petition is disposed of with the above direction.

17.10.2019 **(AMIT RAWAL)**
mamta **JUDGE**

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

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