

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

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IN VIRTUAL COURT

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**CWP No. 7830 of 2020
Date of decision : 8.6.2020**

Haseen Ruhil

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Rajbir Sehrawat, J. (Oral)

This petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking issuance of a writ of mandamus directing the respondents to allot him District Jhajjar for appointing him as a primary teacher and to transfer him to District Jhajjar. It is further prayed that the respondents be directed to consider his representation dated 6.3.2020 (Annexure P-14) for his transfer.

It is contended by the counsel for the petitioner that the petitioner was selected and appointed as per his merit on the post of JBT. In the advertisement for the selection itself, the candidates were required to give options for their posting; in case of their selection. The petitioner though had given option, however, at Serial No.1 in the option in his application form, he had wrongly mentioned District Yamuna Nagar in place of District Jhajjar. This mistake had occurred due to the fault of the Cyber Cafe operator, from where the petitioner had uploaded his application form. However, after getting the print out of the same, the petitioner had realized the mistake committed by the Cyber Cafe operator. Accordingly, he had immediately made a representation for change of his option from District Yamuna Nagar to District Jhajjar. This representation was made to the respondents in the year 2012

itself. Subsequently, the petitioner has been selected and appointed. He has been appointed in District Yamuna Nagar without making corrections in his option. The corrected option submitted by him was District Jhajjar. In District Jhajjar, persons lower in merit to the petitioner have been allocated and appointed; and some posts are still lying vacant. Accordingly, it is submitted that if the respondents correct the option of the petitioner from District Yamuna Nagar to District Jhajjar, then he is entitled to be allocated to District Jhajjar. The counsel has also relied upon the judgment of this Court in **CWP No. 31823 of 2019** titled **Monika Kumar and others v. State of Haryana and another**, decided on 2.11.2019 to substantiate his case. He has further submitted that he has already submitted his representation to the respondents; for considering his case; in view of the above judgment of this Court, which is attached at Annexure P-16. However, the respondents have not taken any action thereon.

Notice of motion.

Mr. Ravinder Dhull, AAG, Haryana, accepts notice on behalf of the State.

In view of the above facts, this Court considers it appropriate to dispose of the present petition without seeking further pleadings of the parties.

Accordingly, the present petition is disposed of with a direction to respondent No.2 to take a final decision on the representation of the petitioner and to pass a speaking order thereon; within a period of two months; from the date of receipt of certified copy of this order.

(RAJBIR SEHRAWAT)
JUDGE

8.6.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No