

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 11937 of 2020 (O&M)

Date of decision : 17.8.2020

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Sudhir Kumar

.....Petitioner

vs.

Haryana Staff Selection Commission, Panchkula
through its Secretary and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Rana, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Assistant Advocate General,
Haryana.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner Sudhir Kumar, working as Junior Engineer (Civil),
in the office of Sub Divisional Office, Haryana Vidyut Parsaran
Nigam Limited, Kaithal, Haryana, has filed the instant writ petition
under Article 226 of the Constitution of India, against Haryana Staff
Selection Commissioner, Panchkula, Haryana through its Secretary;
Haryana Vidyut Parsaran Nigam Ltd., Panchkula through its
Managing Director; State of Haryana through its Additional Chief

Secretary, Urban Local Bodies Department, Haryana, Chandigarh;
Director General, Urban Local Bodies Department, Haryana,
Panchkula, Haryana and Mandeep Kumar, Junior Engineer (Civil),
through Director General, Urban Local Bodies, Haryana, Panchkula,
Haryana, for issuance of a writ in the nature of certiorari, to quash
the action of Haryana Staff Selection Commission, Panchkula,
Haryana – respondent No.1, for not allotting the department of choice
to the petitioner, despite the fact that candidates lower in merit to the
petitioner have been allotted Urban Local Bodies Department. He
also craves for issuance of direction to the respondents to consider
his claim for appointment as Junior Engineer (Civil), in the Urban
Local Bodies Department, Haryana, as per preference given by him.

Notice of motion.

Mr. Rajiv Sidhu, Assistant Advocate General, Haryana, has
appeared on behalf of the respondents.

I have heard learned counsel for the parties, besides going
through the record.

The petitioner seems to have filed the present writ petition
without first submitting a detailed representation to the official
respondents, affording them an opportunity to consider his claim and
take suitable action in the matter.

Therefore to avoid unnecessary litigation between the parties
and to enable the official respondents to consider the claim/grouse of
the petitioner and take remedial measures, if so required, the present
writ petition is disposed of with a direction to the official respondents

to take into consideration the claim of the petitioner and then to dispose it of vide a detailed speaking order, giving reasons for arriving at the conclusion. The writ petition alongwith Annexures be treated as representation by the petitioner. The needful be done within two months from today.

17.8.2020
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(H.S. Madaan)
Judge

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