

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 14807 of 2020

Date of Decision: 18.09. 2020

Amardeep

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Shranav Katyal, Advocate
for the petitioner(s).

Mr. Hitesh Pandit, Additional Advocate
General, Haryana for the respondents.

Anil Kshetarpal, J.

Having heard learned counsel for the writ petitioner and Mr. Hitesh Pandit, Additional Advocate General, Haryana for respondent No.1 at some length, this Court is of the considered view that the present writ petition can be disposed of on the very first date of hearing.

The writ petitioner has filed the present writ petition with the following substantive reliefs:-

“A) issue a writ, order or directions especially in the of Mandamus directing the Respondents to award weightage of 5 marks to the Petitioner as per advertisement dated 16.04.2018 he being belonging to Vimukt Tribe (AnnexureP1);

B) Further With a prayer to issue Writ in the nature of Certiorari quashing the result dated 28.02.2019

(Annexure P6) as well as result dated 07.09.2020

(Annexure P7) qua the Petitioner it being released without awarding the weightage marks to the Petitioner”.

The writ petitioner claims that he is entitled to weightage of five marks as per the advertisement dated 16.04.2018 because he belongs to Vimukt Tribe. Admittedly, the petitioner has not made any representation before filing of the writ petition.

On the other hand, Mr. Hitesh Pandit, Additional Advocate General, Haryana has pointed out that the writ petitioner never applied under the aforesaid category. Mr. Hitesh Pandit has also stated the claim of the petitioner in this petition can be considered by the respondent after granting him opportunity of personal hearing through video conferencing. Learned counsel for the writ petitioner does not have any objection thereto.

Keeping in view the aforesaid facts and without commenting upon the merits of the case, it is considered appropriate to direct the Secretary, Haryana Staff Selection Commission, Panchkula to consider the present writ petition as a representation and decide the claim of the writ petitioner in accordance with law by passing a speaking order after giving an opportunity of hearing to the petitioner through video conferencing within a period of one month from today.

(Anil Kshetarpal)
Judge

September 18, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No