

[209] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5800 of 2019 (O&M)

Date of Decision : 30.11.2021

Yogesh

...Petitioner

Versus

State of Haryana and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Vikram Sheoran, Advocate and
Mr. D.S. Mann, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for grant of the following relief:-

“ Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of appropriate writ, order or Direction especially a writ in the nature of mandamus directing the respondents to fill up the 500 posts of Constables in Haryana Police reserved in favour of Special Backward Class (SBC) from the General Category Candidates as these posts were taken out from the quota of General Category and should be filled from the candidates of General Category only as the same remained unfilled.

AND

Further directing the respondents to fill up the 500 posts was reserved for SBC i.e. Special Backward Class in the advertisement. But in view of the stay granted by the Hon'ble

Court these posts have not been filled up and the candidates who had applied in the Category of SBC have been treated in the General Category. But 500 posts of SBC remained unfilled. Although, these posts should be treated as General Category posts because the said posts were classified / taken out from the General Category.

AND/OR

Further directing to the respondents to give another chance for Physical Measurement Test (PMT), because earlier they give the chance but they not informed to the petitioner. So that the petitioner could not avail the earlier benefit.

AND/OR

Any other order or relief which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the present case. ”

[2] Learned counsel contends that the petitioner would be satisfied, if the respondents give the petitioner another chance for Physical Measurement Test (PMT) for recruitment to the post of Constable (Male), General Duty for although earlier they were given chance but were not informed of the date for the Physical Measurement Test (PMT).

[3] Learned State Counsel on instructions from *Mr. Dikansh Goyal, Legal Assistant, Office of the Haryana Staff Selection Commission*, states that a decision has been taken to give one more opportunity to the petitioner

for participating in the Physical Measurement Test (PMT), which will be conducted in the month of December, 2021 / January 2022.

[4] The same satisfies learned counsel for the petitioner.

[5] Accordingly, in view of the position noted above, as well as statement of learned counsel for the parties, the writ petition is *disposed of* as not calling for any further orders. Needless to mention, pursuant to the petitioner participating in the Physical Measurement Test (PMT), claim of the petitioner for selection and appointment, to the post of Constable (Male), General Duty be considered, in accordance with law.

(B.S. Walia)
Judge

30.11.2021

'Rajneesh'

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>