

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8651-2021

Date of decision: - 22.04.2021

Trilok Chand

....Petitioner

Versus

Haryana State Agricultural Marketing Board

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Ms. Rajni Gupta, Advocate,
for the respondent-Board.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned Senior counsel appearing on behalf of the petitioner argues that out of 20 posts advertised, even as of now, one post is still lying vacant and the petitioner is next in merit, but the same is not being offered to him without any valid justification. Learned Senior counsel further argues that the post in question had become vacant after the selected candidate resigned after joining the same within the period when the select list was in operation and therefore, keeping in view the law laid down by this Court in CWP-15403-2011 titled as 'Varun Kumar Vs. Haryana Staff Selection Commission and others', decided on 17.07.2013, petitioner has a full right to claim the said post being next

in merit list.

Learned Senior counsel submits that for the relief which has been sought in the present writ petition, petitioner has served the respondent with a demand notice dated 06.03.2021 (Annexure P-4), which is still pending consideration with the respondent and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondent to decide the said demand notice.

Notice of motion.

Ms. Rajni Gupta, Advocate, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-Board and raises no objection with regard to prayer of the petitioner for deciding the demand notice dated 06.03.2021 (Annexure P-4) by the respondent in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent is directed to decide the demand notice dated 06.03.2021 (Annexure P-4) by passing a speaking order within a period of three months from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

April 22, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No