

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

**CWP NO. 15764 OF 2021
DATE OF DECISION : 17.08.2021**

Dr. Amit Kaushik

...Petitioner

Versus

The Haryana Public Service Commission and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Suryakant Gautam, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

Petitioner herein, inter-alia, seeks issuance of a writ in the nature of certiorari for quashing the rejection of his candidature vide order dated 31.05.2021 (Annexure P-3) and another order dated 09.07.2021 (Annexure P-5), vide which, allegedly the respondents erroneously rejected the representation of petitioner dated 09.06.2021 (Annexure P-4).

2. Notice of motion.

3. On advance service of copy of the petitioner, learned State counsel joins the proceedings and accepts notice on behalf of respondent-State of Haryana.

4. On a Court query that the rejection order dated 31.05.2021 (Annexure P-3) and order dated 09.07.2021 (Annexure P-5) are cryptic and are not based on any reasoning, the learned state counsel submits that let petitioner appear before the competent authority along with relevant certificates to establish his claim that he is duly qualified as per advertisement and fresh speaking order thereafter shall be passed.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the instant petition is disposed with a direction to the competent authority to reconsider the representation of the petitioner dated 09.06.2021 (Annexure P-4) and also by keeping in view the contentions raised in the present writ petition by treating the same as a supplementary writ petition and decide the same by passing a fresh speaking order giving reasons thereof, in accordance with law. Let the needful be done within a period of 30 days from today.

7. However, the competent authority shall be at liberty to consult an expert in case he/she so feels. Keeping in view the deadlines, in case the decision on the representation cannot be taken before the slated date of interview, the petitioner shall be provisionally allowed to be interviewed and his result shall be subject to final outcome of the aforesaid orders, to be passed on his representation. Disposed of in above terms.

AUGUST 17, 2021
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No