

Sr. No. 115

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

CWP No.17780 of 2021 (O&M)

Date of decision: 13.10.2021

Jagdish

...Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr.Prabhjot Singh Waraich, Advocate,
for the petitioner.

Ms. Rajni Gupta, Additional A.G., Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petitioner herein *inter alia* seeks issuance of a writ in the nature of mandamus directing the respondents to consider his case and select him for the post of Clerk under SC Category, claiming to be more meritorious than the last selected candidate in his category.

2. Learned counsel for the petitioner submits that qua his grievance, petitioner approached respondents many a times but to no avail. Hence, the instant petition.

3. Pursuant to order dated 09.09.2021, learned State counsel under instructions submits that petitioner has secured 62 marks (57 in written examination and 5 marks for socio economic criteria) and the last selected candidate in his category has secured 63 marks.

4. Learned counsel for the petitioner argues that benefit of question No.6 in the paper booklet Series-U has not been given to the petitioner. If the same is granted, he will be in the selection zone.

5. At this stage, learned State counsel submits that competent authority shall take decision either way, by treating the writ petition as a representation.

6. Learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority by treating the writ petition as his representation.

7. 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.

8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner by keeping in view the contentions raised in the present petition by treating the same as a representation and take a decision, in accordance with law.

9. Let the needful be done within a period of 30 days from today.

10. Disposed of accordingly.

13.10.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No