

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

CWP-24357-2021
Date of Decision: 01.12.2021

Vikram Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Surinder Gaur, Advocate
 for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to consider the candidature of the petitioner in dependent of Disabled ESM General Category as he inadvertently applied in the category of dependent of ESM General Category.

2. Learned counsel for the petitioner contends that it is not a case where petitioner is trying to take advantage belatedly, having once participated in the selection process and realising that he has a higher probability of selection by change of category, as the selection process is yet to start and the examination date is also to be notified.

3. Learned counsel for the petitioner relies on a Division Bench's judgment rendered by this Court in **Usha Dhillon Vs. State of Haryana and others, 2015(2) PLR 412** contained at Annexure P-6.

4. Learned State counsel on advance service appears and opposes the issuance of notice of motion.

5. At this stage, learned counsel for the petitioner states that let a final decision be taken, either way, by the competent authority by treating the writ petition as a representation, giving reasons thereof.

6. Learned State counsel submits that competent authority shall take appropriate decision on the writ petition by treating the same as 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 and also by keeping in view the contentions raised in the present petition by treating the same as representation and take a decision, in accordance with law.

9. Let the needful be done within a period of 30 days from today. It is expected of the competent authority, while taking decision on the representation, to go through the Division Bench judgment *ibid*.

10. Disposed of accordingly.

01.12. 2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No