

124 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-24969-2021

Date of Decision: 09.12.2021

NARESH LATA

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Rajesh Nain, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to consider her candidature by affording an opportunity for scrutiny of documents. This is the second foray of the petitioner before this court.

2. Learned counsel for the petitioner submits that the petitioner appeared for written examination for the post of MPHWP (Female) under Category No.4 and 20, which was conducted on 25.07.2021. She has though qualified the same, but Registration Certificate (License) by the Haryana Nursing and Nurse-Midwives Council was belatedly issued to her, for no fault of hers.

3. Learned counsel further submits that petitioner had earlier also approached this Court by way of CWP No.22802 of 2021. Vide a court order dated 10.11.2021 she was directed to appear before the Registrar, Haryana Nursing and Nurse-Midwives Council on the next very day for scrutiny. During pendency of the said writ petition, the Registration Certificate was later issued to the petitioner by the Haryana Nursing and Nurse-Midwives Council, Panchkula, Haryana. She then approached respondent No.2 vide

representations dated 11.11.2021 and 26.11.2021 for considering her candidature, but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, appears and states that competent authority shall take appropriate decision on the pending representations dated 11.11.2021 (Annexure P-5) and 26.11.2021 (Annexure P-6).

4. At this stage, learned counsel for the petitioner also agrees that let a final decision is taken, either way, by the competent authority on the pending representations dated 11.11.2021 (Annexure P-5) and 26.11.2021 (Annexure P-6), giving reasons thereof.

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 writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per representations dated 11.11.2021 (Annexure P-5) and 26.11.2021 (Annexure P-6) and also by keeping in view the contention raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done within a period of 02 months from today. Meanwhile, it is expected of the respondents to keep one post of MPHWS (female) vacant, in the category in which the petitioner applied, until the decision on her representations. In case, a favorable order is passed, petitioner shall be accommodated on the post so kept vacant within 30 days thereafter.

8. Disposed of accordingly.

December 09, 2021
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No