

[126] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25668-2021

Date of Decision :16.12.2021

Rekha Devi

...Petitioner

Versus

State of Haryana and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Aditya Yadav, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Articles 226 / 227 of the Constitution of India is for the issuance of a writ in the nature of certiorari for quashing the action of the respondents in not recommending the name of the petitioner for the Lower School Course-2019 under 62% category, in terms of instructions Annexure P/5 dated 29.11.2021 despite being meritorious. Prayer is also for the issuance of a writ in the nature of mandamus directing the respondents to recommend the name of the petitioner for the Lower School Course-2019 under 62% category, in terms of instructions Annexure P/5 dated 29.11.2021.

[2] At the outset, learned counsel contends that the petitioner has submitted representation, Annexure P/7 dated 03.12.2021 but the same has not been decided till date and that in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No. 2 to consider and decide the representation Annexure P/7 dated 03.12.2021, in accordance with law in a time bound manner.

[3] Notice of motion to respondent No.2 only.

[4] Mr. Sharad Aggarwal, AAG, Haryana accepts notice on behalf of respondent No.2 and on perusal of the writ petition states that he has no objection to the limited prayer made by learned counsel for the petitioner.

[5] I have considered the submissions of learned counsel for the parties, gone over the paper-book and in view of the nature of order proposed to be passed, there is no necessity to seek reply in the matter. Accordingly, in the light of the position noted above and in view of the statement of learned counsel for the parties but without commenting upon the merits of the case, the writ petition is *disposed of* by directing respondent No. 2 to consider and decide the representation Annexure P/7 dated 03.12.2021, in accordance with law after taking into account all aspects of the matter within 03 weeks from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

16.12.2021

'Amit'

<i>Whether speaking/reasoned</i>	:	<i>Yes/No.</i>
<i>Whether reportable</i>	:	<i>Yes/No.</i>