

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 1125 of 2022 (O&M)
Date of decision:- 24.01.2022

Rozy and othersPetitioners
Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present:- Mr. Mukesh Rao, Advocate, for the petitioners.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, CHIEF JUSTICE (oral)

By way of this petition, the petitioners have challenged the notification dated 17.11.2021 issued by the State of Haryana under the Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Act, 2016 prescribing the criteria for identifying the creamy layers in the backward classes on the ground that it violates the judgment of the Supreme Court rendered in the case of *Pichra Warg Kalyan Mahasabha versus State of Haryana* dated 24.08.2021.

It is observed that an identical petition i.e. CWP-PIL No. 204 of 2021 was filed by Pichra Warg Kalyan Mahasabha and others before this Court also which was disposed of on 09.12.2021 on the statement made by learned Additional Advocate General, Haryana that the representation filed by the petitioners therein would be considered and decided by the authorities at the earliest in accordance with law.

Learned Additional Advocate General appearing for the respondent-State of Haryana today submits that the representation filed in that Public Interest Litigation petition has already been considered by the respondent-authorities. However, the final orders are yet to be passed therein. He submits that the issues raised by the petitioners by way of legal notice dated 17.01.2022 (Annexure P-21) in the present petition would also be considered and decided by the respondent-authorities at the earliest while taking a final decision in the earlier matter.

In view of the aforesaid statement made by learned Additional Advocate General, Haryana, the present petition stands disposed of with a direction to the respondent-authorities to consider and decide the legal notice dated 17.01.2022 (Annexure P-21) served upon by the petitioners at the earliest preferably within a period of one week and thereafter communicate the decision to the petitioners.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.01.2022
ravinder

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No