

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

**CWP-4134-2022 (O&M)
Date of decision: 03.03.2022**

Anita Kumari

...Petitioner

V/S

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Mohit Garg, Advocate,
for the petitioner.

Mr. Sharan Sethi, 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 respondent-Commission to consider her case for appointment on the post of 'Staff Nurse' under Socio Economic Criteria.

2. Learned counsel for the petitioner submits that petitioner applied for the post of Staff Nurse. Having successfully participated in the written examination, she was called for scrutiny of documents. The counsel contends that petitioner is entitled for benefit of her socio economic criteria and ought to have been given weightage of 5 marks of that Category. Said benefit was though earlier given to her, but illegally withdrawn in view of the letter dated 22.12.2021 (Annexure P-3). He submits that now the letter dated 22.12.2021 does not hold the ground in view of the specific clarification/amendment issued/made by the respondent on 30.12.2021 (Annexure P-4) wherein it has been specifically stated that in case of a married women, the status of her in-laws family is to be seen and not of her parental family for considering her eligibility under Socio Economic Criteria. He submits that petitioner qua her aforesaid grievance submitted a

representation dated 17.01.2022 (Annexure P-5) but to no avail. Hence, the instant petition.

3. On advance service, learned State counsel joins proceedings and opposes issuance of notice of motion and submits that competent authority shall take decision either way, on the pending representation of the petitioner, in due course.

4. Learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on the pending representation dated 17.01.2022 (Annexure P-5).

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 representation dated 17.01.2022 (Annexure P-5) and by keeping in view the notification dated 30.12.2021 contained at Annexure P-4 as also contentions 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 30 days from today.

8. Disposed of accordingly.

03.03.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No