

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

**CWP-4289-2022 (O&M)
Date of decision: 04.03.2022**

Sumit and others	V/S	...Petitioner
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jasbir Mor, Advocate,
for the petitioners.

Mr. Sharan Sethi, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of mandamus directing the respondent-Commission not to cancel their candidature for the post of group 'D' under ESP General Category for want of Sports Gradation Certificate.

2. Learned counsel for the petitioners submits that the petitioners were called for selection and appointment on the post of Group 'D' and they were required to appear for documents verification/sports certificate from 02.03.2022 to 05.03.2022. They submitted applications dated 21.02.2022, 22.02.2022 and 25.02.2022 (Annexures P-12 to P-14) before the Sports Department for issuance of gradation certificate, but to no avail. He submits that petitioners qua their aforesaid grievance submitted representations dated 28.02.2022 (Annexures P-15 to P-17), the same have also not been adverted by the respondents. 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 representations of the petitioners, in due course.

4. Learned counsel for the petitioners also agrees that let a final decision be taken, by the competent authority on the pending representations dated 28.02.2022 (Annexures P-15 to P-17).

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 petitioners as per representations dated 28.02.2022 (Annexure P-15 to P-17) and also contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law. Since applications 21.02.2022, 22.02.2022 and 25.02.2022 (Annexure P-12 to P-14) for issuance of Sports Gradation Certificate are already pending for a considerable time, needful be done within a period of 30 days from today.

7. Until the decision on the applications, the candidature of the petitioners shall not be cancelled in the ESP General Category on the ground that they have not produced the certificate. However, it is made clear that in case favorable certificate is not issued to the petitioners, respondent shall be at liberty to proceed in accordance with law without seeking leave of the Court.

8. Disposed of accordingly.

04.03.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No