

119 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7447-2022
Date of Decision: 08.04.2022

CHANDRAPATI

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

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

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondent-Commission to award him 5 marks under the Socio Economic Criteria for having no family member in government service and 1.05 marks for experience for selection on the post of Operation Theatre Assistant in terms of advertisement dated 07.09.2019.

2. Vide an advertisement dated 07.09.2019, the petitioner applied for the post of Operation Theatre Assistant under the category of dependent of Freedom Fighter (General category). She successfully cleared the written examination conducted by the respondent-Commission and was called for scrutiny of documents. Grievance of the petitioner is that though having secured 42 marks in the written examination, she was not selected, whereas, the last candidate of dependent of Freedom Fighter-General category having 32 marks was kept in the waiting list. The petitioner has been deprived of awarding 05 marks under the Socio Economic Criteria and 1.05 marks for her experience. Qua the aforesaid grievance, the petitioner submitted a representation dated 08.03.2022 (Annexure P-10), but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and states that competent authority shall take appropriate decision on the pending representation dated 08.03.2022 (Annexure P-10).

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 representation dated 08.03.2022 (Annexure P-10), 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 representation dated 08.03.2022 (Annexure P-10) and 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, and subject to availability of vacancy as on today one post in the category in which the petitioner had applied shall be kept vacant till the decision is taken.

7. Let the needful be done within a period of 30 days from today.

8. Disposed of accordingly.

April 08, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No