

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

CWP-9066-2022

Date of Decision:02.05.2022

SUNIL KUMAR

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Kshitij Sharma, Advocate
 for the petitioner.

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

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of an appropriate writ and/or order or direction in the nature of *certiorari/mandamus* for quashing the impugned result notice dated 10.04.2022 (Annexure P-11), whereby, his candidature under BCA category for the post of Staff Nurse in pursuance of Advertisement No.15/2019 has not been recommended despite being higher in merit than the last selected candidate in his category.

2. Vide an advertisement No.15/2019, the petitioner applied for the post of Staff Nurse under BC-A category. He successfully cleared the written examination conducted by the respondent and was called for scrutiny of documents. Grievance of the petitioner is that he has been deprived of awarding 05 marks under the Socio Economic Criteria and 04 marks for his experience. Qua the aforesaid grievance, the petitioner submitted a representation dated 12.04.2022 (Annexure P-12), 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 12.04.2022 (Annexure P-12).

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 12.04.2022 (Annexure P-12), 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 12.04.2022 (Annexure P-12) 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 the reasons of non selection of the petitioner despite his claim that he has obtained more marks than the last selected candidate in the category he had applied for be conveyed to him with liberty to challenge the same, if so advised.

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

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

02.05.2022
gurpreet

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