

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

CWP No. 10454 of 2022

Date of Decision: 17.05.2022

Preeti

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to issue Sports Gradation Certificate of Grade 'D' for her achievement in game of handball for participation in 44th Haryana State Senior Handball Championship (Men and Women) held from 28-30 November, 2015 at Saraswati Senior Secondary School, Danoda, Jind. Compliance of new sports policy dated 25.05.2018 (Annexure P-21) has been sought. Further prayer has been made not to cancel the candidature of petitioner under ESP-BCB category.

2. Respondent-Haryana Staff Selection Commission (hereinafter referred to as "the Commission") advertised various posts of Group 'D'. Petitioner being eligible, applied for the same under BCB category. Sports Gradation Certificate dated 25.07.2016 (Annexure P-3) was earlier issued by the Department of Sports and Youth Affairs, Haryana under the old Sports Policy of 1993. Petitioner appeared in the

written examination held in November, 2018 but remained unsuccessful. However, sports gradation certificates of some candidates were cancelled by the Sports Department, Haryana. Therefore, some posts of Group 'D' under ESP category remained vacant. It was then decided by the Government to prepare a waiting list wherein name of the petitioner also figured. Thereafter, pursuant to office letter dated 25.10.2021 (Annexure P-7), the petitioner submitted fresh application in prescribed format for issuance of new sports gradation certificate in terms of Government Sports Policy dated 25.05.2018 (Annexure P-21). On 04.01.2022, the petitioner submitted a complaint (Annexure P-12) followed by representation dated Nil (Annexure P-13) against the authorities for not issuing sports gradation certificate to the petitioner.

3. Learned counsel argues that Haryana State Handball Association had wrongly entered name of one Varshain the Entry form, even though said Varsha was never participated in the tournament. Whereas, merit certificate was correctly issued in the name of petitioner-Preeti and the mistake of Varsha occurred due to fault of the then organizing secretary of the tournament and officials of the Handball Association. Petitioner submitted representation dated 28.04.2022 (Annexure P-19) but the same has not been adverted till date. Hence, the instant writ petition.

4. On advance service, learned State counsel appears and submits that a decision will be taken by competent authority, either way, on the pending representation dated 28.04.2022 (Annexure P-19).

5. At this stage, learned counsel for the petitioner also seeks decision on the pending representation, as suggested by learned State counsel.

6. 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.
7. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the representation dated 28.04.2022 (Annexure P-19) of the petitioner and pass an administrative order, in accordance with law.
8. Let the needful be done within 60 days from today.
9. Disposed of.
10. Till the decision on the representation, the respondents shall not cancel the candidature of the petitioner in the category in which she has applied.

MAY 17, 2022
Shalini

(ARUN MONGA)
JUDGE

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