

117 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11958-2022
Date of Decision: 30.05.2022

RISHI PAL

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to offer appointment to him on the post of Staff Nurse under General category along with all consequential benefits.

2. On 07.09.2019, respondent No.2-Haryana Staff Selection Commission advertised 1584 posts of Staff Nurse and the last date for submission of online application was 09.10.2019. Petitioner, being eligible, applied for the said post under General Category. He appeared in the written examination and thereafter was called for scrutiny of documents. However, when the result was declared, petitioner's name was not mentioned in the selection list.

3. Petitioner claims that though he secured 59 marks, yet, his candidature was rejected, whereas, the last selected candidate under General Category has secured 57 marks and in the general waiting list, the last candidate has secured 55 marks.

4. Qua the aforesaid grievance, petitioner also submitted a representation dated 12.04.2022 (Annexure P-6) but the same has not been adverted till date. Hence the petition.

5. 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 12.04.2022 (Annexure P-6) by passing a speaking order.

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

7. 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.

8. 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 12.04.2022 (Annexure P-6) of the petitioner and pass an administrative order, in accordance with law.

9. Let the needful be done within a period of 30 days from today and in any case, not later than issuing appointment letter to any candidate who is below the petitioner in the merit list, to avoid creating any 3rd party rights.

10. Disposed of accordingly.

May 30, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No