

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15352-2022

Date of Decision: 01.08.2022

SUNIL KUMAR

...Petitioner

Versus

THE STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. A.P. Kaushal, Advocate
and Mr. Sumeet Singh Brar, 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 consider him for joining on the post of Pharmacist in BCA category, being eligible.

2. Pledged case is that petitioner has secured 65 marks in written test and the candidate in the waiting list has secured 68 marks. Grievance of the petitioner is that he wrongly not been awarded 5 marks under the Socio-Economic criteria owing to which he is not in the waiting list.

3. Learned counsel for the petitioner submits that for redressal of his aforesaid grievance, petitioner also submitted a legal notice dated 02.06.2022 (Annexure P-8) but the same has not been adverted by the respondents till date. Hence, the petition.

4. On advance service, learned State counsel appears and submits that a decision will be taken by the competent authority, either way, on the pending legal notice dated 02.06.2022 (Annexure P-8).

5. At this stage, learned counsel for the petitioner also seeks decision on the pending legal notice 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 pending legal notice dated 02.06.2022 (Annexure P-8) of the petitioner and pass an administrative order, in accordance with law, as expeditiously as possible.

8. Till the decision on legal notice, subject to availability, as on today, one post in the category in which the petitioner had applied, shall be kept vacant.

August 01, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No