

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

CWP-17275-2021 (O&M)

Date of decision: September 19, 2022

Sanjay Kumar

.....Petitioner

versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Ms. Mamta Singh Talwar, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to include the name of the petitioner in the list of successful candidates under ESM-General Disabled Category for the post of Clerk against advertisement No.05/2019.

2. Learned State counsel, at the outset, points out that the result for the post of Clerk advertised vide advertisement No.5/2019, (Annexure P-1) impugned herein, has already been quashed vide order dated 25.04.2022 passed in **CWP No.15672-2021** titled “**Amit Kumar and others Vs. State of Haryana and others**”. It has been directed that the Commission shall carry out re-evaluation of all the candidates across board and also conduct scrutiny of documents afresh including that of ESM-General Disabled Category and prepare *de novo* merit list thereafter.

3. In view thereof instant writ petition is disposed of in terms of CWP No.15672-2021 *ibid*. However, petitioner is at liberty to file fresh one after the revised result, in case his grievance is still unmitigated.

4. Learned counsel for the petitioner submits that despite specific directions given by this Court that scrutiny of documents will be carried out afresh, pursuant where to the petitioner has submitted his disability certificate, the same has been overlooked by the competent authority to reject the claim of the petitioner to be considered under Disabled Ex-Servicemen Category.

5. Be that as it may, petitioner is at liberty to challenge the rejection of his candidature in the Disabled ESM Category. However, it is expected of the respondents to convey reasons of rejection to enable him to seek appropriate legal remedy, in accordance with law.

(ARUN MONGA)
JUDGE

September 19, 2022

Manju

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No