

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-17021-2022
Date of decision:04.08.2022

SUKHI RAM

...Petitioner

VS

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

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

ARUN MONGA, J. (ORAL)

Petitioner, working as a clerk in the Department of Consolidation of Holdings, Haryana, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing of impugned letter dated 30.06.2022 (Annexure P-8), whereby he has now been asked to join afresh pursuant to revised result and instead allocated the Department of Architecture. Petitioner alleges that this shall affect his seniority.

2. Learned counsel for the petitioner submits that in the fresh result petitioner has been selected under General Category, instead of SC and to his detriment has now been allotted Dept. of Architecture instead of Dept of Urban Local Bodies, which was at Sr. No. 1 in his list of preferences. He submits that other similar persons who scored same marks, but were younger in age, have been allotted the Urban Local Bodies Dept which was also the petitioner's preference. He further submits that for mitigation of his grievance, petitioner submitted a representation dated 21.07.2022 (Annexure P-11) but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service appears and states that competent authority shall take decision either way on the pending representation dated 21.07.2022 (Annexure P-11) in due course.

4. At this stage, learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on the pending representation dated 21.07.2022 (Annexure P-11).

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 21.07.2022 (Annexure P11) and take a decision, in accordance with law.

7. As regards the other grievance of the not being giving benefit of the earlier service, it is expected of the department that regardless of the petitioner joining new department, for no fault of his, he would be given advantage of the earlier service rendered by him pursuant to the first selection and the revised selection shall not be construed to mean denial thereof.

8. Needless to say, petitioner shall also be accorded continuity of service as well as pay protection.

9. Disposed of accordingly.

(ARUN MONGA)
JUDGE

August 04, 2022,
Vandana

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No