

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

CWP-16869-2022

Date of decision: 04.08.2022

MONIKA

...Petitioner

VS

DIRECTOR GENERAL HEALTH SERVICES HARYANA AND ORS.

...Respondents

Present: Mr. Vineet Kumar Jakhar, Advocate,
For the petitioner.
Mr. Gaurav Jindal, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, inter alia, is for issuance of a writ in the nature of mandamus directing the respondent-Department to appoint the petitioner as Medical Officers (Haryana Civil Medical Services Group-A), by considering her Dependent's Freedom Fighter's certificate, as per her merit.

2. Learned counsel for the petitioner submits that Respondent department invited applications through advt. dated 8.1.2022 for filling 980 posts of Medical Officers (Haryana Civil Medical Services Group-A) (Advt. later amended to 1252 posts). Petitioner applied for the same and scored 55 marks in written examination and 10 marks for PG Diploma thus an aggregate of 65 marks. On 09.06.2022, when verification of her documents took place, petitioner was informed that her Freedom Fighter Certificate was old, but she was given three days to submit a latest one. On 12.06.2022, petitioner requested that she had already applied for the new Certificate but since it was in the process, her appointment be considered in the meanwhile on the basis of certified copy of Freedom Fighter Certificate attached along with.

3. When petitioner received her new certificate from O/o Chief Secretary, on the very same day i.e. 21.06.2022, it was submitted to respondents. A last opportunity to those who could not submit their documents by 11.7.2022 was also provided. Though the petitioner's name did not figure in the list of candidates whose documents were found deficient, but yet, when on 24.7.2022, respondents finalized the result, her name did not figure in the select list. For mitigation of her grievance, petitioner submitted representations dated 13.06.2022 (Annexure P-9) 15.06.2022 (Annexure P-10), 23.06.2022 (P-13) and 26.07.2022 (Annexure P-17) but to no avail. Hence, the instant petition.

4. Learned State counsel, on advance service appears and states that competent authority shall take decision either way on the pending representation dated 26.07.2022 (Annexure P-17) in due course.

5. 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 26.07.2022 (Annexure P-17).

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 writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per representation dated 26.07.2022 (Annexure P17) and take a decision, in accordance with law.

8. Let the needful be done within a period of 30 days from today.
9. Till the decision of the representation is taken, one post of Medical Officer in the category in which petitioner had applied, be kept vacant.
10. Disposed of accordingly.

(ARUN MONGA)
JUDGE

August 04, 2022,
Vandana

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