

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

**CWP No.16873 of 2017 (O&M)
DATE OF DECISION : 28.10.2022**

Reena Devi and others

...Petitioners

versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Govind Mor, Advocate for
Mr. Jasbir Mor, Advocate,
for the petitioners.

Mr. Saurabh Mohunta, 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 consider the candidature of petitioners in the category of Economically Backward Person in General Caste (hereinafter referred to as "EBPG") in view of Haryana Government Notification dated 23.01.2013 and 27.09.2013 (Annexures P-4 and P-5) as petitioners fall in this category and they were not issued certificates of EBPG at the time of applying for the post of Clerk pursuant to advertisement dated 24.11.2015 (Annexure P-1).

2. At the very outset, learned counsel for the petitioners submits that he does not press the instant petition qua petitioners No.1 to 3. In the premise, writ petition qua petitioners No.1 to 3 stands dismissed as not pressed.

3. Learned counsel for petitioner No.4 submits that petitioner made the cut and he be granted liberty to move an appropriate

representation *qua* his grievance, before the competent authority which may be decided as per law.

4. Learned State counsel submits that a decision will be taken by competent authority, either way, on the representation, in case the same is filed by petitioner No.4, by passing a speaking order.

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. Since the order impugned herein was passed prior to taking a different view, but it transpired *qua* other similarly situated candidates' appointment letters have now been issued with a pre condition that the same is subject to final outcome of SLP (c) 23544-47/2016) *sub-judice* in the Supreme Court, instant writ petition is disposed of with a direction that in case, representation is moved by petitioner No.4 within a period of two weeks from today, the same shall be decided on parity with similarly situated other candidates, by passing an administrative order, in accordance with law.

7. Needful be done within a period of 6 weeks from the date representation is filed.

8. Disposed of accordingly.

OCTOBER 28, 2022
Shalini

(ARUN MONGA)
JUDGE

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