

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17662-2022

Date of Decision: 10.08.2022

KHUSHI RAM

...Petitioner

Versus

HARYANA STAFF SELECTION COMMISSION

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Sangita Dhanda, 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 respondent to award additional 05 marks to him under Socio-Economic criteria.

2. Pledged caseis that 18,218 posts of Group 'D' were advertised by the Haryana Staff Selection Commission vide advertisement No.4/2018. Petitioner, being eligible, applied and appeared in the written examination. Hehas scored 58 marks in written but he was not accorded 05 additional marks as inadvertently, at the time of submission of application in the year-2018, he did not tick mark the column 'Socio Economically Backward Class Category'. The last selected candidate in petitioner's category scored 64 marks and the last selected candidate in the waiting list scored 63 marks. Had he been awarded 05 additional marks under said category, he would be in the selection zone.

3. Learned counsel for the petitioner submits that, in view of amendment in the second schedule of the Haryana Group 'D' Employees (Recruitment and Conditions of Service) Act, 2018, issued on 05.05.2022 with regard to giving benefit of awarding 05 marks to the candidates under

socio-economic criteria if they fulfil the requisites mentioned therein, petitioner also submitted a representation dated 12.05.2022 (Annexure P-7). However, the same has not been adverted by the respondents till date.

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 representation dated 12.05.2022 (Annexure P-7) by passing a speaking order.

5. At this stage, learned counsel for the petitioner also seeks decision on the pending representation 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 representation dated 12.05.2022 (Annexure P-7) of the petitioner and pass an administrative order, in accordance with law as expeditiously as possible.

8. Disposed of accordingly.

August 10, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No