

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

CWP-22516-2021

Date of decision: 21.03.2022

BALJEET

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Abhilaksh Grover, Advocate,
for the petitioner.

Mr. Sharan Sethi, Additional A.G., Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to award him 10 marks for socio economic criteria and issue him appointment letter for the post of Group 'D'.

2. Learned counsel for the petitioner submits that petitioner while submitting online application form inadvertently filled/answered 'No' to an undertaking/question regarding demise of his father, as a result of which he was not awarded 10 marks for socio economic criteria. He submits that having successfully participated, petitioner secured 61 marks in the written examination. As per declared result, the cut-off was 69 marks but last candidate in waiting list is having 68 marks. He submits that petitioner would make the cut after adding 10 marks to be awarded towards socio economic criteria. Petitioner also submitted a representation dated 05.02.2019 (Annexure P-7) but to no avail. Hence, the instant petition.

3. When matter was first taken up on 24.11.2021, following order was passed:-

“Prima facie, case of the petitioner is hit by delay and laches. However, giving part benefit of the recent pandemic, which too may have been a reason of belatedly approaching this Court, learned State counsel to seek instructions, in case, a sympathetic view can be taken to consider the case of the petitioner, subject to verification of the assertion whether anyone in the family of the petitioner is in government service and/or if the petitioner was indeed orphan on the cut-off date as per the advertisement, subject of course to the vacancy being available as on today.

Post it on 15.12.2021.”

4. *Apropos* above order, when case was listed on 15.12.2021, time was sought by the learned State counsel to seek instructions and it was adjourned for today i.e. 21.03.2022. When called out, same request is being made once again that instructions are awaited.

5. At this stage, learned counsel for the petitioner submits that let the pending representation of the petitioner be decided one way or the other, in accordance with law.

6. Learned State counsel also submits that the competent authority will look into the representation of the petitioner and pass appropriate orders, in due course.

7. On joint consent of both the counsels, writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per his pending representation and also contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law, as expeditiously as possible.

8. Disposed of accordingly.

21.03.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No