

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

CWP-22891-2022 (O&M)

Date of decision: September 30, 2022

Satish Kumar

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Nisha Malik, Advocate for
Mr. Vikram Sheoran, Advocate for the petitioner.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing order dated 23.11.2021 (Annexure P-6) whereby show-cause notice is issued to the petitioner as well as order dated 05.08.2022 (Annexure P-7) directing to hold an inquiry qua self-claimed disability of the petitioner.

2. Pledged case is that petitioner applied for the post of Group D, under Advertisement No.4/2018, Category-01. Petitioner qualified the written examination. He was selected in the merit list in the category of Physically Handicapped with Disability of 40%. Petitioner secured 62 marks in the written examination and cut-off was also 62 marks. He was given 5 marks under Socio-Economic Criteria. Petitioner joined his services on 05.02.2019 for the post of Peon in the Revenue Department, Haryana upon the recommendation of the Haryana Staff Selection Commission. Show-cause notice dated 18.10.2021 (Annexure P-3) was issued to the petitioner On

discovering that marks under Socio-Economic criteria were wrongly given to him. Petitioner tendered his reply dated 22.10.2021 (Annexure P-4) stating there was a mistake on his part but not a deliberate one. Vide impugned order dated 23.11.2021 (Annexure P-6), Deputy Commissioner, Palwal ordered Chief Medical Officer, Palwal to inquire about the disability of the petitioner and submit the report.

3. I have heard rival contentions of the learned counsel for the parties and perused the record.

4. Petition has been filed prematurely. Concededly, vide impugned order dated 23.11.2021 (Annexure P-6), merely an inquiry has been ordered regarding disability of the petitioner. No final decision regarding services of the petitioner has yet been taken. In the premise, no grounds for interference are made out.

5. In case any adverse order is passed, same shall be kept in abeyance for 30 days, so as to let the petitioner avail his legal remedy.

6. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

September 30, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No