

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-28655-2022

Date of Decision :13.12.2022

Sunil Kumar

...Petitioner

Versus

Haryana Staff Selection Commission
and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Dhull, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that the petitioner participated in the selection process in pursuance to advertisement No.12/2019 issued by the respondents by which, 06 posts of Craft Instructor Health Sanitary Inspector (Practical) were advertised, out of which, one post was reserved for EWS category under which category the petitioner was competed.

Learned Senior counsel appearing for the petitioner argues that the petitioner has secured maximum marks i.e. 48 marks among the candidates, who were competing under the EWS category. As per the learned Senior counsel for the petitioner, next candidate in the merit has secured 40 marks. Learned Senior counsel for the petitioner argues that there is a dispute with regard to the grant of 05 marks under the socio-economic criteria but even if, it is assumed for the sake of argument that the said 05 marks were wrongly granted to the petitioner even then, total marks

secured by the petitioner will be 43 and the petitioner will still remain next candidate in the merit and is entitled for consideration of his claim for appointment to the post in question hence, respondents are under an obligation to consider the claim of the petitioner for appointment to the post of Craft Instructor Health Sanitary Inspector (Practical).

Learned Senior counsel for the petitioner submits that the petitioner has already approached the respondents by way of filing the representations dated 15.07.2022 and 01.08.2022 (Annexures P/4 and P/5) respectively, which are still pending consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to respondent No.3 to decide the representation dated 01.08.2022 (Annexure P/5) by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case and entitlement of the petitioner in respect of the claim made in the representation dated 01.08.2022 (Annexure P/5), respondent No.3 is directed to decide the representation dated 01.08.2022 (Annexure P/5) within a period of eight weeks from the date of receipt of copy of this order and in case after the decision, it is found that the petitioner is entitled for any relief, the same will be extended to him within a period of next four weeks.

Present writ petition stands disposed of.

December 13, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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