

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115)

CWP No. 28768 of 2022
Date of Decision : 14.12.2022

Gaurav Sangwan

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Yesh Paul Malik, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner competed for the post of Senior Instructor (Hospitality) as well as for the post of Instructor (Food Production) as advertised vide Advertisement dated 20.07.2019 (Annexure P-1) and the petitioner uploaded all the relevant documents along with the application form. The result of the written examination was declared by the respondents after which, for the scrutiny, the documents were to be uploaded again through online mode but as the petitioner missed the declaration of the result as well as was unaware about the requirement to upload the documents again and failed to do the same hence, he has not been allowed to participate in the selection process any further, which act of the respondents is totally arbitrary and illegal as, the documents, which were to be uploaded again after the declaration of the result, were already with the respondents as the same had already been

appended along with the application form hence, the respondents are under obligation to consider the claim of the petitioner in accordance with law keeping in view the merit obtained by the petitioner.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated 08.12.2022 (Annexure P-5) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Rajesh Gaur, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 08.12.2022 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondent No. 2 is directed to decide the representation dated 08.12.2022 (Annexure P-5), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

December 14, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*

Whether reportable? *No*