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

CM-14330-CWP-2023 in/and
CWP-1582-2023 (O&M)
Date of decision: 31.08.2023

Divanshu

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aazam Khan, Advocate for the applicant-petitioner.

Mr. Amandeep Joshi, DAG, Haryana
for the respondents.

VIKAS BAHL, J. (ORAL)

CM-14330-CWP-2023

1. This is an application filed under Order 9 Rule 9 read with Section 151 CPC for restoration of the case and recalling of order dated 10.08.2023.
2. For the reasons stated in the application which is duly supported by an affidavit, the present application is allowed and order dated 10.08.2023 is recalled and the main case is restored to its original number.
3. With the consent of learned counsel for the parties, the main case is taken up itself for final disposal.

Main case

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ especially in the nature of mandamus directing the respondents to consider the petitioner's new Eligibility Certificate for the post of PST in the Advertisement dated 30.12.2020 (Advertisement No.04/2020, Category No.01).
2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given representation dated 20.12.2022 (Annexure P-6) to respondent No.2 and he would be satisfied at this stage, in case, the competent authority of Haryana Staff Selection Commission, Panchkula, takes a final decision on representation dated 20.12.2022 (Annexure P-6) in a time bound manner, in accordance with law and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief, in accordance with law.
3. Learned State Counsel has submitted that the competent authority of Haryana Staff Selection Commission, Panchkula would consider the said representation dated 20.12.2022 (Annexure P-6) in accordance with law, as expeditiously as possible preferably within a period of eight weeks from the date of receipt of certified copy of the present order.
4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of Haryana Staff Selection Commission, Panchkula to consider representation dated 20.12.2022 (Annexure P-6) in accordance with law within a period of eight weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to

be meritorious then the competent authority of Haryana Staff Selection Commission, Panchkula would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of eight weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of Haryana Staff Selection Commission, Panchkula would consider the case of the petitioner independently and in accordance with law.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

31.08.2023
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No