

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP-2325-2023

Date of decision : 06.02.2023

Bimla Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

...

SUVIR SEHGAL, J. (Oral)

Petitioner has approached this Court under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to consider the claim of the petitioner for selection and appointment as Multipurpose Health Worker (Female) under Freedom Fighter category.

Learned senior counsel submits that the petitioner applied for under the dependent of Freedom Fighter category for the post of Multipurpose Health Worker (Female) pursuant to Advertisement No.15/2019. Counsel submits that the petitioner obtained 44 marks, out of which, 5 marks have been given to the petitioner under socio economic status. Counsel submits that the petitioner had inadvertently clicked on the box pertaining to the socio economic criteria, though, she never submitted an affidavit/undertaking pursuant to public notice issued by the Haryana Staff Selection Commission. Counsel submits that the petitioner is entitled to be appointed to the post, as the last candidate selected in the category of petitioner, has obtained 33 marks. Counsel submits that the petitioner has

submitted a representation dated 18.07.2022, Annexure P-4, to respondent No.3 - Haryana Staff Selection Commission, but it has not been attended to, even though, it was followed by an advance notice of the writ petition, Annexure P-5. He has placed reliance upon order dated 13.12.2022, Annexure P-6, passed by the co-ordinate Bench of this Court and submits that the petitioner would be satisfied in case a direction is issued to the respondent concerned to look into the representation, Annexure P-4.

Notice of motion.

On asking of the Court, Mr. Jagbir Malik, Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

Given the nature of order being passed, this Court does not deem it necessary to call for a response from the respondent.

Having heard counsel for the parties, but without examining the claim on merits, writ petition is disposed of with a direction to respondent No.3 to examine the representation, Annexure P-4, within a period of 4 months from the date of communication of a copy of this order.

In case, respondent No.3 finds that the claim of the petitioner cannot be accepted, an appropriate administrative order be passed. Till the time, order is not passed by respondent No.3, unfilled post, in the category of the petitioner, if any, shall be kept vacant.

(SUVIR SEHGAL)
JUDGE

06.02.2023

Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No