

124.

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

CWP-3219-2023

Date of Decision: 16.02.2023

DALCHAND

.... Petitioner

Versus

HARYANA STAFF SELECTION COMMISSION AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parth Goyal Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The present writ petition has been filed seeking a writ in the nurture of mandamus directing respondent No.1 i.e. Haryana Staff Selection Commission to consider the claim of the petitioner for issuance of rectified/fresh result for the post of Draftsman Planning under advertisement No.14/2019, Category No.13 by reducing 5 marks granted to him under the Socio Economic Criteria, for “No Govt. Job in Family” and further to issue fresh recommendation letter for his joining, and grant all other consequential benefits.

In brief, the facts of the case are that the petitioner herein applied to be appointed as a Draftsman Planning and at the relevant time, claimed 5 marks under the Socio Economic Criteria. During the pendency of the selection process, he got job in the railways. He has also been selected as Draftsman Planning with 64 marks. He has the apprehension that his

appointment as such might be challenged on the ground that he is not entitled to 5 marks under the Socio Economic Criteria having already got a government job. In that respect, he has already moved a representation to the Commission for deduction of the said marks. Since he is already in the zone of consideration, the HSIIDC has already made recommendation to the Commission for necessary rectification, however, the revised merit list has not come-forth.

Learned counsel appearing on behalf of the petitioner would contend that at the present moment, the petitioner would be satisfied in case his representation dated 10.01.2023, Annexure P-23, is decided by the Commission in a time bound manner, in accordance with law, with a further prayer that the Commission take into account the recommendations already made by it and issue a fresh merit list and offer him appointment accordingly.

Notice of motion.

At this stage, Mr. Anant Kataria, DAG, Haryana, who is present in Court, accepts notice on behalf of respondents.

Let adequate number of copies of complete paper book be supplied to the counsel appearing on behalf of the respondents during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.1 to decide representation dated 10.01.2023, Annexure P-23, of the petitioner within a period of one month from the date of receipt of certified copy of this order, in accordance

with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

16.02.2023

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No