

CWP-5299-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CWP-5299-2023

Date of decision : 13.04.2023

Ashok Kumar

...Petitioner

Versus

Haryana Staff Selection Commission and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Bhupinder Malik, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

By way of present writ petition filed under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari quashing final result dated 17.11.2022, Annexure P-13, of the post of Operator in the General category. Another prayer has been made for directing the respondents to treat the apprenticeship period as experience gained in the post in the light of the instructions letters dated 06.05.1997 and 13.05.2022, Annexures P-16 and P-17, respectively.

Counsel for the petitioner submits that the petitioner was an applicant for the post of Operator pursuant to advertisement dated 26.08.2019, Annexure P-8. He submits that the petitioner has scored more marks than the last selected candidate of General category, but his candidature has been rejected on the ground that he did not possess requisite

experience of 5 years. Besides placing reliance upon instructions letters, Annexures P-16 and P-17, counsel submits that controversy has been settled by the Hon’ble Supreme Court in *Civil Appeal No.4385 of 2009 titled as Krishan Lal Versus State of Haryana and others*, decided on 16.07.2009, Annexure P-18. He submits that posts are lying vacant as some of the selected candidates have not joined. Counsel submits that the petitioner has submitted a representation dated 27.02.2023, Annexure P-15, which is pending and he would be satisfied in case a direction is issued to respondent No.1 to look into it.

Notice of motion.

On asking of the Court, Mr. Pankaj Middha, 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 respondents.

Having heard counsel for the parties, but without examining the claim of the petitioner on merits, writ petition is disposed of with a direction to respondent No.1 to examine the representation, Annexure P-15, and pass an appropriate order within a period of 4 months from the date of communication of copy of this order.

(SUVIR SEHGAL)
JUDGE

13.04.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No