

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

**CWP-5099-2023**

**Date of decision: 15.03.2023**

Sunil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Sunil Kumar Nehra 'Sirsa', Advocate,  
for the petitioner.

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**HARNARESH SINGH GILL, J. (ORAL)**

The main grouse of the petitioner is that he has not been awarded 05 marks on account of socio-economic criteria while computing the final merit in the selection process for the post of Employability Skill Instructor.

Learned counsel for the petitioner contends that the petitioner had applied for the aforesaid post under BC-B Category; that while filling up the form online, the petitioner specifically mentioned that no member of his family was in the govt. job; that the petitioner had qualified the written examination, and that however, the petitioner had not been awarded 05 marks on account of socio-economic criteria.

Learned counsel for the petitioner further contends that the brother of the petitioner, an army man, got married on 10.02.2015 and is now residing separately from the family of the petitioner. He further contends that in terms of the notification dated 30.12.2021 issued by the State Government, it has been clarified that definition of family would

include unmarried brother and, therefore, it is implicit that the married brother would not fall under the definition of family for the purpose of grant of 05 marks on account of socio-economic criteria. In support of his contentions, learned counsel for the petitioner relies upon the order dated 29.07.2022 passed by a Coordinate Bench in CWP-16407-2022, titled as 'Mukesh Yadav Vs. Pt. B.D.Sharma University of Health Sciences, Rohtak.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before respondent No.2 by way of filing the representation dated 11.03.2023 (Annexure P-10), which is still pending consideration and the petitioner would be satisfied in case a time bound direction is issued to respondent No.2 to decide the said representation.

Notice of motion to respondents No.1 and 2 at this stage only.

On the asking of this Court, Mr. R.S.Budhwar, Addl. A.G. Haryana, accepts notice on behalf of respondents-State and raises no objection in deciding the representation dated 11.03.2023 (Annexure P-10) in a time bound manner by passing an appropriate speaking order.

In view of the request made by the learned counsel for the petitioner during the course of hearing, but without expressing any opinion on the merits of the case, respondent No.2 is directed to decide the representation dated 11.03.2023 (Annexure P-10) by passing a speaking order within a period of four weeks from the date of receipt of certified copy of this order.

Disposed of.

**15.03.2023**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**