

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

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**CWP-5935-2023 (O&M)
Date of decision: 22.03.2023**

Sunil Kumar

...Petitioner

Versus

Haryana Staff Selection Commission

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. G.S. Gopera , Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondent to consider the experience certificate dated 13.02.2019 (Annexure P-5) of Accounts Work Adjustment (Claim Adjustment) and clarified experience certificate dated 13.02.2023 (Annexure P-11), for the post of Storekeeper.

Learned counsel for the petitioner submits that the petitioner had applied for the post of Storekeeper in terms of advt. No. 12/2019 dated 20.07.2019 (Annexure P-6) under Cat. No.18 in EWS Category, being eligible; that the petitioner has having the requisite qualification and accordingly uploaded the Experience Certificate 13.02.2019 (Annexure P-5) from 09.08.2016 to 22.01.2019 issued by CONCENTRIX DAKSH Services India Private Limited; that petitioner was working as Senior Representative, Operation Claim Adjustment (Accounts Works Adjustment) and that the candidature of the petitioner was not considered for the post stating therein 'Exp. Not Relevant Field'.

Learned counsel for the petitioner further submits that the

petitioner was having the same experience as mentioned in the advertisement i.e. Account Works' and in this regard draws the attention of this Court towards the clarification dated 13.02.2023 (Annexure P-11) issued by the said Company qua the aforesaid period, wherein under the column of roles and responsibilities it is mentioned as 'Accounts work adjustment (claim adjustment), still his experience certificate was not considered by the respondent-Department.

After arguing for some time, learned counsel for the petitioner submits that the petitioner has already served a legal notice dated 24.02.2023 (Annexure P-13) upon the respondents, but the same has not been decided. It is further submitted that and the petitioner will be satisfied in case a time bound direction is issued to the respondent to decide the said legal notice.

Notice of motion.

On the asking of this Court, Mr. Rajesh Gaur, Addl. AG Haryana, accepts notice on behalf of respondent-State and submits that he has no objection in case, the directions for deciding the legal notice aforesaid, are issued. He also submits that the result has already been declared and recommendations have also been sent to the concerned department.

In view of the above, without expressing any opinion on the merits of the case, respondent is directed to decide the legal notice dated 24.02.2023 (Annexure P-13) by passing a speaking order within a period of 04 weeks from the date of receipt of copy of this order.

Disposed of.

(HARNARESH SINGH GILL)

JUDGE

22.03.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No