

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

(257)

CWP-6979-2023

Date of Decision : August 18, 2023

Phool Kumar**.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Nitin Sansanwal Advocate, for
Mr. Kartik, Advocate, for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioner with a grievance that the petitioner had competed for the post of Clerk under the BCB category and had secured higher marks than the last selected candidate in the said category but keeping in view high marks secured by the petitioner, he was transferred to the General Category and put in the waiting list whereas, the respondents were under an obligation to grant the petitioner appointment under the BCB category as per his merit in the said category.

Learned counsel for the petitioner submits that though at a later stage, the said grievance of the petitioner has been satisfied and he has been appointed but the petitioner is entitled for the appointment from the date the candidates lower in the merit were appointed in the BCB category so that the petitioner does not suffer any loss/prejudice.

Learned counsel for the petitioner further submits that the petitioner has already filed representation dated 24.11.2022 claiming ante dated appointment, a copy of which has been appended as Annexure P-10 and the petitioner will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

Learned counsel for the respondents submits that in case representation dated 24.11.2022 (Annexure P-10) has been received by the authorities concerned and the same is still pending consideration with the Department, representation dated 24.11.2022 (Annexure P-10) will be decided by the authorities concerned within a period of eight weeks from the receipt of certified copy of this order and after the decision of the representation, in case any benefit is to be extended to the petitioner, the same will also be extended to the petitioner within a further period of four weeks.

Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

August 18, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No