

CWP-9948-2023

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

CWP-9948-2023

Date of decision: 09.05.2023

Rajesh Kumar

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shalender Mohan, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

1. On the oral request of the learned counsel for the petitioner, Haryana Staff Selection Commission, Bays No.67-70, Sector 2, Panchkula, Haryana, through its Secretary, is impleaded as respondent No.3 in the present petition. Registry is directed to make necessary corrections in the memo of parties.

2. Challenge in the present petition is to the action of the respondents for not considering the candidature of the petitioner for the post of Trained Graduate Teacher (TGT), Sanskrit against Category Nos.6 and 10 in the Advertisement No.02/2023, under the BC-A Category, instead of the General Category.

3. Learned counsel for the petitioner submits that on 13.03.2023, the petitioner submitted the application form for the aforesaid posts under the BC-A Category, and that however while applying for the said posts, the petitioner had wrongly submitted 'Yes' against Sr. Nos.1 and 3 in the

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column of 'Other Details'. For ready reference, column Nos.1 and 3 of the 'Other Details' in the application form would read as under:

<i>Sr. No.</i>	<i>Other Details</i>
1.	In the case of a Bachelor's degree/BA B.Ed (4 yrs)/B.El.Ed., do you have 50% marks (For SC/BC Differently abled candidates 47.5% Marks in Sanskrit subject?
2.	xxx xxx xxx
3.	In case of Shiksha Shastri/Language Teachers Course (L.T.C.)/Oriental Training (O.T) in Sanskrit conducted by Haryana government or an equivalent qualification recognized by Haryana Education Department, Do you have at least 50% marks (For SC/BC Differently abled candidate 47.5% Marks)?

4. Learned counsel for the petitioner further contends that on 20.03.2023, the petitioner got rectified the said mistakes; that the petitioner is having the higher qualification in the same line, and that the petitioner applied for the said posts under the BC-A Category, but owing to some mistake, the portal has automatically considered the category of the petitioner as 'General Category'.

5. Learned counsel further submits that the petitioner has already raised the said grievance before respondent No.3, by way of filing the representation dated 03.05.2023 (Annexure P-8), which is still pending consideration. It is further submitted that the petitioner will be satisfied in case a time bound direction is issued to respondent No.3 to decide the said representation.

6. Notice of motion.

7. On the asking of this Court, Mr. R.S.Budhwar, Addl. A.G. Haryana, accepts notice on behalf of the respondents-State, and submits that he has no objection, in case the directions for deciding the representation aforesaid, are issued.

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8. In view of the above, without expressing any opinion on the merits of the case, respondent No.3 is directed to decide the representation dated 03.05.2023 (Annexure P-8) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order, in accordance with law.

9. Disposed of.

09.05.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No