

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

CWP-12366-2023

Date of decision: 31.05.2023

Aarzo

....Petitioner

Versus

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present: Mr. Mohit Garg, Advocate,
for the petitioner.**

ARUN PALLI, J. (Oral)

The petitioner herein, has prayed for the following
substantive relief:-

*“Civil writ petition under article 226/227 of
the Constitution of India for the issuance of writ in the
nature of mandamus directing the respondent authorities
to allow the petitioner to appear in the examination of
National Eligibility-cum-Entrance Test (Under Graduate)
2023 to be held for the State of Manipur of which is
scheduled to be held between 3rd June to 5th June. Further
it is prayed that in the meanwhile the petitioner be
permitted to permitted to appear provisionally subject to
outcome of the present writ petition.*

*Or in the alternative to direct the respondent no.2 to decide
the representation dated 18.05.2023 (Annexure P-12) sent
through registered post as well as on the email of the
respondent no.2 within the time bound manner preferably
prior to the 3rd June to 5th June on which the National
Eligibility-cum-Entrance Test (Under Graduate), 2023 for*

the State of Manipur, is scheduled as per notification dated 25.05.2023 Annexure P-11.

And for any other order writ or direction as this Hon'ble court may deem fit in accordance with the peculiar facts and circumstances of the case.”

Concededly, even earlier, the petitioner had approached this Court vide CWP-10862-2023, based upon the same cause of action and claiming identical relief. However, vide order dated May 18, 2023, pursuant to the statement of learned counsel for the petitioner, the said petition was dismissed as withdrawn to enable the petitioner to move the concerned authorities qua her concerns/grievances.

Whereafter, the petitioner purports to have represented to the National Testing Agency (respondent No.2) on 18.05.2023 (P-12). But the matter continues to await consideration of the cause of the petitioner. It is urged that as the time is the essence of the situation, the authorities be directed to take appropriate decision on the representation submitted by the petitioner, at the earliest. Failing which, she will suffer an irreversible loss and injury.

Upon being served with the advance copy of the petition, Mr. Arun Gosain, Senior Panel Counsel, for the respondent-Union of India, and Mr. Anil Mehta, Senior Standing Counsel, for the respondent-U.T., Chandigarh, assisted by Mr. Himanshu Arora, Junior Panel Counsel, are present in Court. Learned counsel for the respondent-Union of India submits that respondent No.2, being in seisin of the representation (P-12), submitted by the petitioner, shall take appropriate decision thereon, strictly in accordance with law, within a period of one week from today.

Accordingly, the matter is disposed of, in the wake of the statements made by learned counsel for the parties. This Court is sanguine that the competent authority shall deal with the concerns expressed by the petitioner in her representation, and pass appropriate orders thereon, strictly in accordance with law, within the period, as indicated above.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party.

(ARUN PALLI)
JUDGE

(MAHABIR SINGH SINDHU)
JUDGE

May 31, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No