

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

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CWP No.22977 of 2019 (O & M)

Date of Decision : 5.12.2023

*Shalender**..... Petitioner**versus**State of Haryana and others**..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Akash Yadav, Advocate, for
Mr. Naveen S. Bhardwaj, Advocate, for the petitioner

Mr. Rohit Arya, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed seeking issuance of a writ of *mandamus* directing the respondents to issue appointment letter to the petitioner for the post of Trained Graduate Teacher/TGT-Physical Education in terms of final result declared on 4.1.2019, Annexure P-5, and recommendation list dated 21.1.2019, Annexure P-6, sent by the respondent/Haryana Staff Selection Commission (for short 'the Commission')

2. It is contended that the petitioner was duly selected and recommended for appointment as TGT-Physical Education, pursuant to advertisement no.3 of 2015 dated 28.6.2015, Annexure P-2. He, however, was not issued letter of appointment only on account of a pending FIR bearing No.476 dated 1.11.2016 under Sections 148, 149, 323, 427, 506 IPC (Section 307 IPC added later on), at Police Station Mohindergarh,

District Mohindergarh, which was registered after submission of the application form for the post. It is contended that the said FIR has been quashed by this Court vide order dated 12.10.2023 passed in a petition, CRM-M No.33041 of 2023 titled *Shalender and others v. State of Haryana and others*.

3. In view of the changed circumstances and keeping in view the fact that the only reason for declining appointment to the petitioner was the pendency of aforementioned FIR, learned State counsel, on instructions, contends that in case the petitioner makes a representation bringing the aforesaid facts of quashing of the FIR to the notice of respondent no.2, appropriate action to issue him letter of appointment, subject to fulfillment of other pre-requisites, will be taken by the said respondent within four weeks of submission of the representation.

4. In view of the statement of learned State counsel, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

5. Ordered accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

5.12.2023

Ashwani

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No