

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(105)

CM-16334-CWP-2023 in/and
CWP-21702-2022
Date of decision: - 10.10.2023

Bijender Kumar

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rohit Mittal, Advocate,
for the applicant-petitioner.

Ms. Ranji Gupta, Additional Advocate General, Haryana
for the respondents.

VIKAS BAHL, J. (ORAL)

CM-16334-CWP-2023

1. This is an application under Order 9 Rule 9 read with Section 151 of the CPC for restoration of the main writ petition which is dismissed for non-prosecution on 04.09.2023.

2. For the reasons mentioned in the application, which is duly supported by an affidavit, the same is allowed. The order dated 04.09.2023 is recalled and the main writ petition is restored to its original number.

CWP-21702-2022

1. Present writ petition has been filed under Articles 226/227 of

the Constitution of India for issuance of a writ, order or direction especially a writ in the nature of mandamus directing the respondents to consider the petitioner for the post of constable under general ex-servicemen category which was advertised by the Haryana Staff Selection Commission vide Advertisement No.3/2018 dated 16.04.2018 (Annexure P-1).

2. Learned counsel for the petitioner has submitted that for the grievances of the petitioner, the petitioner has given a representation dated 10.02.2022 (Annexure P-6) and he would be satisfied in case respondent No.2 considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant him appropriate relief.

3. Learned State counsel has submitted that respondent No.2 would consider the said representation dated 10.02.2022 (Annexure P-6) in accordance with law and the same would be done within a period of six weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to respondent No.2 to consider the representation dated 10.02.2022 (Annexure P-6) filed by the petitioner within a period of six weeks from the date of receipt of certified copy of this order and in case respondent No.2 is of the view that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to the petitioner as expeditiously as possible. In case respondent No.2 is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid

period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.2 would consider and decide the matter independently, in accordance with law.

October 10, 2023
naresh.k

(VIKAS BAHL)
JUDGE

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