

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(126)

CWP No. 21637 of 2023
Date of Decision : 27.09.2023

Rakesh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed with a prayer that 11 seats, which were reserved under the Special Backward Class (SBC) Category and have remained unfilled, be converted into General Category and the claim of the petitioner be considered against the said posts.

It may be noticed that before filing the present petition, the petitioner has not approached the respondent-department seeking the said relief and as per the rule governing the issuance of writ of mandamus, there should exist a right with the petitioner, which is being claimed and the said right should have been claimed before the department first before approaching the Court.

In the present case, the petitioner has filed the present petition without even filing a representation with the respondents, hence,

the present petition is disposed of with liberty to the petitioner to file an appropriate representation with the respondents claiming the relief as raised in the present petition.

The competent authority of the respondents is directed that in case any such claim is raised by the petitioner by filing representation, the same be decided within a period of eight weeks of the receipt of such claim by passing an appropriate speaking order.

Disposed of.

September 27, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No