

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RA-CW-23-2023 in/&
CWP-20857-2023
Date of Decision :-21.09.2023

Tejaswini Garg

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Varuna Singh, Advocate for the applicant-petitioner.

Ms. Harpriya Khaneka, Advocate for respondent No.2.

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Harsimran Singh Sethi, J. (Oral)

RA-CW-323-2023

Present application has been filed for recalling the order dated 19.09.2023 passed by this Court.

Keeping in view the facts and circumstances mentioned in the application, order dated 19.09.2023 passed by this Court is recalled and the main writ petition is restored to its original number and status and the same is taken up for hearing today itself.

CWP-20857-2023

In the present petition, the claim of the petitioner is that being a granddaughter of a freedom fighter, she is entitled for the grant of benefit of reservation under the freedom fighter quota and she should be allowed to compete under the said quota qua the post of Assistant District Attorney as advertised on 15.02.2023 vide advertisement Annexure P/1.

On being asked as to whether there is any post reserved for the freedom fighter in the advertisement, learned counsel for the petitioner concedes the fact that no post for the freedom fighter or dependent has been reserved in the advertisement but the posts which have been reserved for the backward class and ex-servicemen, if remain vacant, same is to be given to the freedom fighter.

Notice of motion.

Ms. Harpriya Khaneka, Advocate, who is present in the Court accepts notice on behalf of respondent No.2.

Learned counsel for the respondent No.2 submits that the issue raised in the present petition was also raised in CWP-20455-2023 titled as **Sandeep Balhara vs. State of Haryana and another**, decided on 20.09.2023 and the reply filed therein may be treated as reply in the present petition as well and as per the said reply, claim of the petitioner can only be considered against a vacant post of the backward class or ex-serviceman in case any such post remains vacant after the selection process is over but as of now petitioner does not have any claim on any post under the reserved category of freedom fighter as selection against the backward class or ex-serviceman of reserved quota is yet to be undertaken.

Learned counsel for the respondent No.2-Commission submits that as per her instructions, in case any post in the backward class or ex-serviceman quota remains vacant after the selection process is over, appropriate process will be initiated, as envisaged under law, to consider the claim of the petitioner in accordance with law qua her claim for selection/appointment in the reserved category of freedom fighter.

Learned counsel for the petitioner submits that keeping in view

the statement made by learned counsel for the respondent No.2-Commission, no further grievance of the petitioner subsists at this stage hence, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

September 21, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No