

2023:PHHC:127006

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

(104)

CWP No. 21846 of 2023

Date of Decision : 29.09.2023

Sunita Devi

.. Petitioner

Versus

Secretary, Haryana Staff Selection Commission

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mahendra Singh Tewatia, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the complaint of the petitioner is that she was not afforded due opportunity to appear in the written examination for Group No. 57 in respect of Advertise No. 3 of 2023.

Learned counsel for the petitioner submits that the petitioner, who is 100% blind, was not allowed proper scribe for appearing in the written examination and the allegations have been alleged against the invigilator. Learned counsel further submits that firstly the scribe was changed and the new scribe was allowed but he could not understand for writing the answer, due to which fact, she could not do her best in the examination.

For the issuance of a writ in the nature of mandamus, not only a candidate should have a vested right but the same should have been exercised before the respondents, before approaching the Court.

Faced with this situation, the learned counsel for the petitioner submits that as before filing the present petition, no grievance has been

raised by the petitioner before the authorities concerned, petitioner be given liberty to file appropriate representation before the authorities concerned.

Notice of motion.

Mr. Pankaj Middha, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State and submits that in case any representation is filed by the petitioner raising the grievance, the same will be decided in accordance with law within a period of four weeks from the receipt of any such representation by passing an appropriate speaking order.

Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file appropriate representation.

Ordered accordingly.

September 29, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No