

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-24703-2023 (O&M)
Decided on : 07.11.2023

MANINDER SINGH

...Petitioner

Versus

HARYANA STAFF SELECTION COMMISSION AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Lajpat Rai, Advocate for
Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner argues that petitioner had competed for the post of Multipurpose Health Worker (Male) under the reserved category of physically handicapped candidates as advertised by Advertisement No. 02/2011 dated 06.12.2011, copy of which has been appended with the petition as Annexure P-1.

2. Learned counsel submits that the petitioner had competed under the reserved category of orthopedic handicapped candidate and another post was reserved for the Visually handicapped candidate and the said post reserved for visually handicapped had remained vacant, which post has not been converted into the orthopedic handicapped category and the said seat reserved for visually handicapped candidate has not been allotted to the petitioner, who had competed under the orthopedic handicapped category.

Learned counsel submits that as per the instructions of Government of Haryana, the interchanging of the category within physically handicapped quota is permissible, hence, the respondents are under obligation to convert the post of Multipurpose Health Worker (Male) reserved for the visually handicapped to the reserved category of orthopedic

handicapped category and consider the claim of the petitioner.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the Legal Notice dated 03.03.2020 (Annexure P-7) but the same is still pending consideration with the respondents-department and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents- department to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Pankaj Middha, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, Legal Notice dated 03.03.2020 (Annexure P-7) has been received in the office of authorities concerned and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of **eight weeks** of the receipt of certified copy of this order by passing an appropriate speaking order.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

07.11.2023

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Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No