

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(266)

CWP-29089-2022

Date of decision: - 01.02.2023

Aatish Kumar and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Raavi Kumar Jotwani and  
Mr. Nishant Kumar, Advocate  
for the petitioners.

Mr. Samarth Sagar, Additional Advocate General, Haryana.

Mr. Surjeet Bhadu, Advocate  
and Mr. Veer Singh, Advocate  
for respondent No.2.

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VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus for setting aside the directions/instructions issued by the respondents, vide email dated 16.11.2022 (Annexure P-11), whereby the respondents have instructed the petitioners and all the other candidates to apply afresh for CMGGA 2023-24.

Short reply has been filed on behalf of respondent No.2 today in the Court and the same is taken on record. A copy thereof has been

supplied to learned counsel for the petitioners.

Learned counsel for respondent No.2 has submitted that in the present case, although, the petitioners had cleared the first two rounds, but in the third round, the final rank of petitioner No.1 was 79, whereas, that of petitioner No.2 was 60, whereas they had selected 25 persons and thus, the petitioners were outside the zone of final consideration. It is further submitted that respondent No.2 thereafter restructured the eligibility criteria and carried out a fresh process in which the petitioners had participated and that process has also attained finality and even in the second round of consideration, the petitioners have not been selected.

Learned counsel for the petitioners seeks to withdraw the present writ petition with liberty to file a fresh petition to challenge the said selection, if so advised.

In view of the above, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

It is made clear that in case any such petition is filed, the same would be considered independently, in accordance with law.

**February 01, 2023**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No