

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(116)

CWP-25410-2023

Date of decision: - 09.11.2023

Kusum Badiwal and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ravinder Singh Dhull, Advocate,
for the petitioners.

Ms. Palika Monga, DAG, Haryana
for the respondents.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari for quashing the impugned notices dated 15.05.2023 (Annexure P-8) and 06.06.2023 (Annexure P-9), vide which the petitioners have been shown to be absent from the scrutiny process despite the fact that the petitioners have already undergone the biometric process. Further, a prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to allow the petitioners to join the services of respondent No.2 as Female Constable (GD) as per the recommendation and final result.

2. Learned counsel for the petitioners has submitted that the

petitioners had earlier given several representations to the competent authority of respondent No.3/Haryana Staff Selection Commission and although they have diary numbers of the said representations, but a copy of the same has not been made available to them. It is further submitted that for the grievances of the petitioners, the petitioners would give a detailed representation with respect to the same within a period of two weeks from today and prays that respondent No.3 be directed to consider the same, in accordance with law, in a specified time frame and in case the pleas raised by the petitioners are found to be meritorious, then, grant them the appropriate relief.

3. Learned State counsel has submitted that respondent No.3 would consider the said representation in accordance with law within a period of six weeks from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioners to give a detailed representation to respondent No.3 within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioners, respondent No.3 would consider the same within a period of six weeks from the date of submission of the said representation and in case after considering the said representation, respondent No.3 is of the view that the pleas raised by the petitioners are meritorious, then, the necessary relief be granted to them as expeditiously as possible. In case

respondent No.3 is of the view that the pleas raised by the petitioners are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.3 would consider and decide the matter independently, in accordance with law.

November 09, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No