

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-28046-2023

Date of decision : 14.12.2023

Ashish Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr.Sarthak Gupta, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl.A.G. Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to offer appointment to the post of Sub Inspector (Male) advertised vide Advt. no.3/2021 dated 15.06.2021 (Annexure P-1) to the petitioner who as per his case, is at no.1 of the waiting list against the vacancy that arose in the BCA category on 16.03.2023 after one selected candidate resigned from the post.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has already given a representation dated 16.11.2023 (Annexure P-10) but would further give a representation mentioning the details of the relevant instructions also and at this stage, would be satisfied in case the said representation is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found

to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said representation and decide the same within a period of 8 weeks from the date of the receipt of the said representation.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation which would be filed by the petitioner mentioning the details of the relevant instructions and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 8 weeks from the date of the receipt of said representation and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 8 weeks from the date of the receipt of the representation.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

December 14, 2023.
Davinder Kumar

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