

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

(127)

CWP-172-2024

Date of decision: - 08.01.2024

Umender

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ganga Singh Gopera, Advocate,
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

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 in the nature of mandamus directing the respondents authorities to consider the claim of the petitioner raised in his representations dated 21.12.2022 & 13.12.2022 (Annexures P-6 & P-7) and re-fix the seniority/merit list of the petitioner by considering the actual marks obtained in final papers, which were cleared in supplementary examination of Lower School Course in view of the order dated 13.12.2023 (Annexure P-8) passed by respondent No.1.
2. Learned counsel for the petitioner has submitted that the persons who are similarly placed as the present petitioner had given a representation dated 13.12.2022 (Annexure P-7) and the pleas of the said persons have been allowed vide order dated 13.12.2023 (Annexure P-8)

and has submitted that the petitioner be permitted to give a detailed representation to the competent authority of the respondent-State mentioning the said facts and prays that at this stage, the petitioner would be satisfied in case the competent authority of the respondent-State considers the said representation, in accordance with law, in a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has submitted that the competent authority of the respondent-State would consider the said representation in accordance with law within a period of two months 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 petitioner to give a detailed representation to the competent authority of the respondent-State within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioner, the competent authority of the respondent-State would consider the same within a period of two months from the date of submission of the said representation and in case after considering the said representation, the competent authority of the respondent-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to them as expeditiously as possible. In case the competent authority of the respondent-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

5. It is made clear that this Court has not opined on the merits

of the case and the competent authority of the respondent-State would consider and decide the matter independently, in accordance with law.

January 08, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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