

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

128

CWP-4995-2024 (O&M)
Date of decision: 04.03.2024

Jagsir Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Nikhil Anand, Advocate for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus by directing the respondents to de-reserve the vacant posts reserved for Handicapped category.
2. Learned counsel for the petitioner submits that a legal notice dated 27.10.2023, Annexure P-6 has been served upon respondents praying therein to de-reserve 38 posts lying vacant is reserved for Handicapped Category, pursuant to advertisement dated 09.12.2022. On an earlier occasion, a similarly situated candidate had filed a CWP-3536-2022, wherein on a liberty granted to the petitioner to approach the respondents by filing a representation, the same was decided and 99 posts were de-reserved. Even the petitioner has served a legal notice dated 27.10.2023, Annexure P-6, upon respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. A.S. Bains, AAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the legal notice dated 27.10.2023, Annexure P-6 within a period of 4 months and if found entitled, necessary benefits be granted to the petitioner forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

(AMAN CHAUDHARY)
JUDGE

04.03.2024
M.Kamra

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