

CWP-4978-2024

1

2024:PHHC:030096

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-4978-2024

Date of decision : 04.03.2024

Deepak

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.K.S. Godara, 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 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to give 5 marks weightage to the petitioner for being a fatherless candidate.

2. Learned counsel for the petitioner has referred to Annexure P-7 (at page 37 of the paper book) to show that the petitioner has got 60.19 marks in which 4 additional marks for higher qualification and 5 marks for being jobless have been given but 5 marks with respect to being a fatherless candidate have not been given and in the earlier round of litigation when the earlier petition was withdrawn, the petitioner had inadvertently not pointed out the said fact before this Court. It is submitted that for the grievances raised by the petitioner, the petitioner has given representation dated 10.07.2022 (Annexure P-11) mentioning the correct facts and at this stage,

would be satisfied in case, the said representation is considered by the competent authority of respondent no.2 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.2 would consider the said representation and decide the same within a period of two months from the date of the receipt of certified copy of the present order.

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.2 to consider the representation dated 10.07.2022 (Annexure P-11) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of the receipt of certified copy of the present order 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 two months from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.2 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

March 04, 2024
Davinder Kumar

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