

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

(120)

CWP-6019-2024

Date of Decision : March 14, 2024

Pankaj Joshi**.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Himanshu Sharma, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that the petitioner competed for the post as advertised vide Advertisement No.15 of 2019 dated 07.09.2019 (Annexure P-1) and once the said post in the reserved category of ex-servicemen, is lying vacant and is liable to be converted into General category, which is not being done by the respondents, which is causing prejudice to the petitioner.

2. Learned counsel for the petitioner submits that the issue whether the post which is lying vacant in the ex-servicemen category, is to be converted into the General category or to the reserved category keeping in view the factum from which source, the post was to be filled up, has already been decided while passing order in *CWP No.9097 of 2023 titled as Sachin and another vs. State of Haryana and others*, decided on

21.12.2023 (*Annexure P-12*) hence, the respondents are under an obligation to convert the post of ex-servicemen to be filled in General category which is lying vacant or the candidates, who are in the waiting list in the general category.

3. Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised by the petitioner in the representation dated 13.02.2024 (*Annexure P-10*) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

4. Notice of motion.

5. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

6. Learned counsel for the respondents submits that in case the representation dated 13.02.2024 (*Annexure P-10*) has been received in the office of concerned authorities and is still pending consideration, the same will be decided by the authorities concerned within a period of eight weeks of the receipt of copy of this order.

7. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further.

8. Ordered accordingly.

March 14, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No