

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

(120)

CWP-6571-2024

Date of Decision: - 19.03.2024

Arshdeep Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Puneet Gupta, Advocate
for the petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, direction or order in the nature of mandamus directing the respondents to consider and appoint the petitioner as Junior Draftsman (Civil) against the post reserved for the Scheduled Caste (R&O) by shifting the reserved category candidate belonging to the Scheduled Caste (R&O) mentioned at Serial No.17 in the Common Merit List dated 03.10.2023 (Annexure P-9) in the General Category against the unconsumed post mentioned at Serial No.5 which remains vacant due to the non-joining of the General Category candidate and grant all consequential benefits.

2. Learned counsel for the petitioner has submitted that although, the petitioner had given a representation dated 04.03.2024

(Annexure P-10) to the respondent authorities bringing out the essential facts, which would entitle the petitioner to the relief, but the petitioner be permitted to give a detailed representation to the competent authority of respondent No.1-State and prays that he would be satisfied, in case, competent authority of respondent No.1-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 respondent No.1-State would consider the said representation, in accordance with law, within a period of one month 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 respondent No.1-State within a period of two weeks from today.
- (ii) In case, any such representation is filed by the petitioner, competent authority of respondent No.1-State would consider the same within a period of one month from the date of submission of the said representation and in case, after considering the said representation, the competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him, as expeditiously as possible. In case, the competent authority of respondent No.1-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 one month.

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-State would consider and decide the matter independently, in accordance with law.

March 19, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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