

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

113

CWP-6891-2024 (O&M)
Decided on : 01.04.2024

USHA RANI . . .PETITIONERS

Versus

STATE OF HARYANA AND ANOTHER . . . RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Sunil Kumar Nehra (Sirsa), Advocate and
Ms. Rajeshwari, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner submits that the grievance raised in the present petition for not reserving any post under EWS quota in the category No. 258, be treated as not pressed.
2. Ordered accordingly.
3. Learned counsel for the petitioner submits that the petitioner had applied for the post of Multi-Purpose Health Worker (Female) under the reserved category of EWS in the department of ESI Health Care as advertised vide Advertisement No. 3/2023 dated 07.03.2023 (Annexure P-1).
4. Learned counsel for the petitioner further submits that under the category No. 259, 46 posts were reserved by the department concerned in the EWS Category and only 45 candidates have been selected under the said reserved category and as per the petitioner, keeping in view the answer key

issued by the respondents, the petitioner has secured more marks than the last selected candidate under the reserved category of EWS, hence, the respondents are under obligation to consider the case of the petitioner for the grant of appointment on the post of Multi-Purpose Health Worker (Female) in the department of ESI Health under the category No. 259.

5. Notice of motion.

6. On asking of the Court, Mr. Tapan Kumar Yadav, DAG, Haryana, accepts notice on behalf of respondents-State and submits that without raising the said grievance before the authorities concerned, the petitioner has approached this Court and in case, any such claim is raised by the petitioner by filing of a representation before the authorities concerned, the same will be considered and an appropriate speaking order will be passed by the authority concerned within a period of **four weeks** from the date of receipt of such representation and in case, the petitioner is found feasible for any relief, the same will be granted to him, otherwise due reasons for not accepting the claim of the petitioner will be given in the speaking order.

7. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file a representation with respondents so as to raise all the claims as raised in the present petition qua the appointment on the post of Multi-Purpose Health Worker (Female) in the department of ESI Health under the category No. 259.

8. Ordered accordingly.

9. Keeping in view the fact that the respondents have undertaken to consider the claim of the petitioner, in case, any post of Multi-Purpose

Health Worker (Female) in the category No. 259 is still lying vacant, the same be not filled up, till the decision of the representation of the petitioner in case any such representation is filed by the petitioner within the period of one week from today.

10. Miscellaneous application, if any, shall also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

01.04.2024
Riya

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No