

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

133

CWP-8004-2024
Date of Decision :08.04.2024

Hari Chand Gupta

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manan Bhardwaj, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner argues that though, the creation of the EBPG category is already challenged and there are interim orders passed by the competent Court of law that no appointment is to be made against the posts reserved under the EBPG category but the respondents are appointing candidates in the said category, which benefit has been declined to the petitioner.

2. Learned counsel for the petitioner submits that either the respondents should not allow any candidate claiming appointment in the EBPG to be appointed but once the respondents have themselves given appointment to the similarly situated candidates claiming appointment under the EBPG category, the said benefit of appointment cannot be denied to the petitioner hence, the respondents are under an obligation to grant the petitioner the benefit of appointment.

3. Learned counsel for the petitioner further submits that the

grievance raised in the present petition has already been raised by the petitioner in the representation dated 26.03.2024 (Annexure P-4) 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, AAG, 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 26.03.2024 (Annexure P-4) 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 four weeks of the receipt of copy of this order and in case, after the decision of the representation, any benefit accrues to the petitioner, the same will also be released to him otherwise due reasons will be mentioned in the speaking order for not accepting the claim of the petitioner for his information and necessary action.

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.

April 08, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No