

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(113)

CWP-8745-2024

Date of decision: - 20.04.2024

Akshay and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ravinder Singh Dhull, Advocate
for the petitioners.

Ms. Rajni Gupta, Additional Advocate General, 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 in the nature of certiorari for quashing the impugned notice dated 29.02.2024 (Annexure P-12) vide which the candidature of the petitioners has been rejected. A further prayer has been made for issuance of a writ in the nature of mandamus directing the respondent No.3 to recommend the name of petitioners for the post of Male Constable (General Duty) as per their own merit under unreserved category in view of the earlier recommendation dated 21.02.2024 (Annexure P-10).

2. Learned counsel for the petitioners has submitted that the case of the petitioners is covered by a judgment of Co-ordinate Bench of this Court passed in case titled as “**Om Roj Vs. Haryana Staff Selection**”

Commission and others, in CWP-2667-2022, decided on 28.04.2022

(Annexure P-18) and the LPA bearing **LPA-1203-2022**, filed against the said judgment, has been dismissed on 31.01.2024 (Annexure P-19). It is further submitted that for the grievances raised by the petitioners in the present case, the petitioners would give a detailed representation to respondent No.3-Commission and prays that they would be satisfied in case respondent No.3-Commission considers the said representation, in accordance with law, in a specified time frame and in case, the pleas raised by the petitioners are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has submitted that respondent No.3-Commission would consider the said representation in accordance with law within a period of two months 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 petitioners to give a detailed representation to respondent No.3-Commission within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioners, respondent No.3-Commission would consider the same within a period of two months from the date of submission of the said representation and in case, after considering the said representation, respondent No.3-Commission is of the view that the pleas raised by the petitioners are meritorious, then, the appropriate relief be granted to them as expeditiously as possible. In case, respondent No.3-Commission is of the view that the pleas raised by the petitioners are meritless,

then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.3-Commission would consider and decide the matter independently, in accordance with law.

April 20, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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