

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

(111)

CWP-9557-2024

Date of decision: - 29.04.2024

Arun Kumar

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Suryaveer Singh Surjewala, Advocate
for the petitioner.

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 in the nature of mandamus directing the respondents to appoint the candidate from the waiting list of the General Category by taking into account the total number of posts which are lying vacant including the posts on which the candidates had joined and thereafter, resigned taking into consideration the instruction dated 25.06.2019 (Annexure P-9).

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present case, the petitioner would give a detailed representation to the competent authority of respondent No.1-State and prays that he would be satisfied in case the 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 three 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 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, the competent authority of respondent No.1-State would consider the same within a period of three months 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 three months.

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.

April 29, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No