



CWP-11451-2024

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

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CWP-11451-2024

Date of Decision :16.05.2024

Dinesh Kumar

...Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravinder Singh Dhull, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that though the petitioner competed for Group-D post in the category of BC(A) (Deaf and hard of hearing) and has secured 46.82 marks whereas, in the said category, last selected candidate has obtained 46.73 marks but still the petitioner has not been selected or recommended for the post in question which act of the respondents is totally arbitrary and illegal.

Learned counsel for the petitioner further submits that the candidate having higher marks has a prior right of selection to a post but the said right of the petitioner has been infringed.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of submitting a representation Annexure P/5, which is still pending

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consideration and the petitioner will be satisfied at this stage, in case, a time bound direction be issued to the respondents to decide the said representation.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of the respondents and submits that in case, representation Annexure P/5 has been received from the petitioner and is still pending consideration with the authorities concerned, the same will be decided in accordance with law and an appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of certified copy of this order and in case, it is found feasible to grant the relief to the petitioner, the same will be extended to him otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order so passed.

Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

May 16, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No