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

CWP-10705-2023

Date of Decision: 19.01.2024

KIRAN BALA

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Rajeev Anand, Advocate
for the petitioner.

Mr. Lalit Attri, Central Govt. Counsel for
Mr. S.K. Sharma, Senior Panel Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 09.03.2023 (Annexure P-14) whereby respondent in terms of para 15 of the standing order No. 2/2021 (Annexure P-15) has rejected prayer of the petitioner for second opportunity to apply for the post of ASI (Steno).

2. Learned counsel for the petitioner submits that respondent relying upon para No.15 of standing order No. 2/2021 has rejected application of the petitioner seeking second opportunity to participate in the typing test for the post of ASI (Steno). The said para has been amended vide circular dated 20.06.2022 (Annexure P-16). As per amended paragraph, candidates applying for the post of ASI (Steno), if fails in first attempt of typing test, would be given two additional chances

at the interval of one month each. The respondent has passed impugned order without considering aforesaid amendment.

3. Mr. Lalit Attri, Central Govt. Counsel for the respondents-UOI expressed his inability to controvert the applicability of aforesaid circular to the present case.

4. From the perusal of circular dated 20.06.2022 (Annexure P-16), it is quite evident that if an applicant fails in typing test, he would be granted two additional chances for typing test for the post of ASI (Steno). The case of the petitioner is squarely covered by aforesaid circular, thus, impugned order dated 09.03.2023 (Annexure P-14) deserves to be set aside and accordingly set aside. The respondents are directed to pass fresh order in the light of circular dated 20.06.2022 (Annexure P-16) within 3 months from today.

5. The respondent before proceeding further would take care of communication dated 23.11.2022 (Annexure P-9) and communication dated 15.02.2023 (Annexure P-13).

(JAGMOHAN BANSAL)
JUDGE

19.01.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>