

CWP-12830-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(129)

CWP-12830-2024

Date of decision: - 28.05.2024

Sanjay Naik

....Petitioner

Versus

Haryana Shehri Vikas Pradhikaran and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. R.N. Lohan, Advocate, for the petitioner.

Ms. Palika Monga, DAG, 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 consider the petitioner as Scheduled Caste in the service record and update the category of the petitioner as Schedule Caste instead of BC-A in the seniority/gradation list dated 15.01.2020 and to consider the petitioner for promotion in the category of Schedule Caste.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a representation dated 12.02.2024 (Annexure P-5) and at this stage, the petitioner would be satisfied, in case, respondent No.2 considers the same, in accordance with law, within a specified time frame and in case, the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief to the petitioner.

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3. Learned counsel appearing for the respondents-State has submitted that respondent No.2 would consider the said representation dated 12.02.2024 (Annexure P-5), filed by the petitioner, in accordance with law and the same would be done within a period of two months from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to respondent No.2 to consider the representation dated 12.02.2024 (Annexure P-5) filed by the petitioner within a period of two months from the date of receipt of the certified copy of this order and in case, respondent No.2 is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner, as expeditiously as possible. In case, respondent No.2 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 two months.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.2 would consider and decide the matter independently, in accordance with law.

May 28, 2024

naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No