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

**CWP No.13911 of 2024 (O&M)
Date of Decision: 08.08.2024**

Rahul

..... Petitioner

Versus

Hon'ble Punjab and Haryana High Court, Chandigarh
through its Registrar General and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Sanchit Punia, Advocate for the petitioner.

Ms. Munisha Gandhi, Senior Advocate assisted by
Ms. Shubreet Kaur, Advocate for respondent Nos.1 to 3.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution, *inter alia*, for quashing the impugned result undated (P-7) on the premise that despite non-availability of any suitable ESM candidate, respondent Nos.2 & 3 have failed to consider the candidature of petitioner being a DESM candidate and allocated the post meant for ESM to General Category.

(2) Learned Counsel for the petitioner has produced copy of Instructions dated 14.07.2021, which are taken on record as Mark 'X'

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- (3) Notice of motion.
- (4) Ms. Shubreet Kaur, Advocate accepts notice on behalf of respondent Nos.1 to 3 and has produced the relevant records.
- (5) Heard learned Counsel for the parties and perused the paper-book.
- (6) After arguing for some time, learned Counsel on instructions from petitioner wishes to withdraw the present petition with liberty to take recourse to the remedy of an appeal in terms of Rule 14 (2) (B) (ii) of the Haryana Subordinate Courts Establishment (Recruitment and General Conditions of Service) Rules, 1997.
- (7) Disposed off with liberty aforesaid.
- (8) It is clarified that above observations be not construed as an expression of opinion on merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

8th August, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No