

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

338

CWP-15396-2023 (O&M)
Date of decision: 08.04.2024

Arshdeep Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. K.B. Raheja, Advocate for the petitioner (Through V.C.)

Mr. Arun Gupta, DAG Punjab

AMAN CHAUDHARY. J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to allow the petitioner to join as clerk in the Secretariat as per the result declared vide memo No.1/23/2021-4A4/140..

2. Learned counsel would contend that the candidature of the petitioner has been rejected primarily on the ground of lodging of FIR, wherein the police had declared him innocent and the cancellation report stands presented. He places reliance on the judgments passed in the cases of **Pardeep vs. State of Haryana and Others**, (2014) 2 SLR 610, **Anil Thakur vs. State of H.P.**, (2015) 1 HimLR 542, **Ramesh Bishnoi vs. Union of India**, (2018) WLN 273, **Ankur Sangwan vs. Union of India and Others**, (2016) 4 AD (Delhi) 161, **Pritam vs. State of Bihar**, (2018) 4 PLJR 572 and **Joginder Singh vs. Union Territory of Chandigarh**, (2015) 2 SCC 377. He thus, at this stage, on instructions, submits that the petitioner would be satisfied, in case, a direction is given to the State to decide and consider the claim of the petitioner, in terms of the aforesaid judgments

in a time bound manner by granting him an opportunity of hearing.

3. Learned State counsel has no objection to the limited prayer made.

4 In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the claim of the petitioner taking note of the judgments referred to above as also the pleas raised, within a period of 3 months and if found entitled, necessary benefits be granted to the petitioner forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

(AMAN CHAUDHARY)
JUDGE

08.04.2024

M.Kamra

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