

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-26457-2018
Date of decision : 15.02.2024

Suresh Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Aditya Yadav, Advocate
for the petitioner.

Mr.Amandeep Joshi, 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 an appropriate writ, order or direction especially in the nature of certiorari for quashing the impugned order dated 04.01.2016 (Annexure P-7) passed by respondent no.3 vide which the claim of the petitioner absorption in executive clerical cadre is rejected on the ground that the petitioner did not qualify the type test.
2. Learned counsel for the petitioner has submitted that subsequent to the passing of the impugned order, several subsequent events had taken place including issuance of notification / instructions by the State and thus, the petitioner at this stage prays that the petitioner would give a detail representation to the competent authority of respondent no.1 within a period of two weeks from today, giving details of all subsequent events/ notification/ instructions and has prayed that in case the said representation

is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said representation and decide the same within a period of three months from the date of the receipt of the said representation.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation which would be filed by the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of the receipt of the said representation and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of three months from the date of the receipt of the representation.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 15, 2024
Davinder Kumar

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