

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

222(2)

CWP-30001-2018 (O&M)
Date of Decision:30.04.2024

Satwant Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Sunny Singla, Advocate, for the petitioner.

Mr. Satnampreet Singh, DAG, Punjab.

AMAN CHAUDHARY J. (Oral)

1. The prayer in the present petition is for quashing the objection raised by the respondents to provide the certificate of SC (ESM) as the petitioner does not belong to SC (ESM) category which has been inadvertently mentioned as such, but is of SC (R&O) category, with further directing the respondents to consider and appoint him to the post of MPHWS (Male).

2. Learned counsel for the petitioner submits that the issue involved in the present case is squarely covered by the judgment of a Co-ordinate Bench of this Court in CWP-25003-2017, **Monika vs. State of Punjab and others**, decided on 06.03.2018, wherein also the petitioner at the time of filling up of application form had wrongly mentioned her category as SC-ESM (R&O) instead of SC (R&O) which was corrected at the time of counseling. It is submitted that he, though belongs to the SC (R&O) and secured 404 marks, had inadvertently at the time of filling up online application form wrongly mentioned it as SC (ESM)(R&O). He, on instructions, submits that the petitioner would be satisfied if

time bound direction be given to the respondents to consider his claim, placing reliance on judgment of Hon'ble the Supreme Court in **Vashist Narayan Kumar vs. The State of Bihar**, 2024 SCC OnLine SC 2.

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 the respondents to consider and decide the claim of the petitioner, by taking into account the aforesaid judgments, within a period of three months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to him, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

April 30, 2024

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