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

(127)

CWP-23018-2024

Date of Decision : September 11, 2024

Manjosh Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Angrej Singh Sarwara, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that though the petitioner was having a merit within the number of posts advertised of the Assistant District Attorney but he is not being considered for selection for the said post and that too without any valid justification.

2. Learned counsel for the petitioner further submits that there were two posts of Assistant District Attorney to be filled in the category of physically handicapped and though one post was reserved for the female candidate but as none qualified and only two male candidates qualified, the petitioner is to be granted the benefit of appointment against once of the two post to be filled up from the physically handicapped category.



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3. Learned counsel for the petitioner further submits that reservation for women as envisaged under the instructions of the Government of Punjab dated 21.10.2020, the reservation can only be given in case any woman candidate qualifies and in case no woman qualifies and the seat remained unfilled, same is to be filled from the other candidates available hence, the petitioner, who was next in the merit was entitled for appointment to the post of Assistant District Attorney.

4. Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised by the petitioner in the representation dated 13.08.2024 (Annexure P-15) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

5. Notice of motion.

6. Mr. Amarpreet Singh Bains, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

7. Learned counsel for the respondents submits that in case the representation dated 13.08.2024 (Annexure P-15) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of four weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision any relief is to be extended to the petitioner, the same will be extended, otherwise due reasons will be



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mentioned in the speaking order to be passed for not accepting the claim of the petitioner for his information and necessary action.

8. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present writ petition may kindly be disposed of having been not pressed any further.

9. Ordered accordingly.

September 11, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No