

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

CWP-29095-2024 (O&M)
Date of Decision : 25-10-2024

VERSUS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Mr. Gaurav Pathania, Advocate
For respondent No.3.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance being raised by the petitioner in the present petition is that the corrigendum which was issued by the Department dated 04.09.2024, copy of which has been appended as Annexure P-11, was missed by the petitioner and prior to the issuance of the said corrigendum, the petitioner had already applied for the post of Medical Officer in the General Category whereas, the other candidates, who have applied in the Reserved Category of Physically Handicapped and are below in merit, are being considered for appointment in preference to the petitioner whereas, the said benefit has not been extended to the petitioner on the ground that the petitioner had applied in the General Category and did not change his application to the Physically Handicapped Category despite the

corrigendum dated 04.09.2024, copy of which has been appended as Annexure P-11.

Learned counsel for the petitioner submits that as, the petitioner missed the said corrigendum, and thereafter made a representation dated 14.10.2024 (Annexure P-12) to consider his claim in the Reserved Category of Physically Handicapped hence, the respondents are under obligation to grant the petitioner the consideration of his claim in the Reserved Category of Physically Handicapped for all intents and purposes.

Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised in the representation dated 14.10.2024 copy of which has been appended as Annexure P-12 and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Swapan Shorey, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 14.10.2024 (Annexure P-12) 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 **two weeks** from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly

conveyed to the petitioner, which reasons will be conveyed to the petitioner for his information and necessary action.

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

Ordered accordingly.

Pending application, if any, also stands disposed of.

25-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
 Whether reportable: YES/NO