



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

CWP-33588-2024

Date of decision: 13.12.2024

Ashok Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

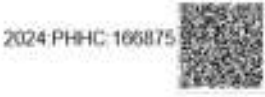
DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to consider the claim of the petitioner at par with other contractual employees and to keep one post reserved for the petitioner.

Learned counsel for the petitioner contends that the petitioner belongs to BC(B) category and was also part of selection as per initial advertisement No.1/2015 DST and total 19 vacancies were there out of which six were meant for general category, two were meant for ESM category, three were meant for S.C. category, two were meant for BC(A) category and two were meant for BC(B) category and there was further bifurcation. He further contends that when the list was displayed as final result for 725 posts of Drivers on outsourcing basis, the name of petitioner was mentioned in the list at serial No.12.

Thereafter, another list/final result was declared in that the name of the petitioner

was mentioned at serial No.11 under BC-B category. He submits that as a matter



of fact the other candidate in BC-B category was Ombir Singh who has also filed CWP No. 27379 of 2017 which was clubbed with CWP No.2174 of 2016. He again submits that the name of Ombir came in merit and his case was considered under General Category and as such against one post meant for BC-B category, petitioner was entitled to be selected. Learned counsel further submits that petitioner has served representation dated 16.03.2024 (Annexure P-7) to the respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the representation in a time bound manner.

Notice of motion.

On asking of the Court, Ms. Vibha Tewari, AAG Haryana, who is present in the Court, accepts notice on behalf of the respondents and submits that the respondent No.2 is the competent authority to take final decision. She does not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation dated 16.03.2024 (Annexure P-7), respondent No.2 is directed to decide the aforesaid representation, by passing a speaking order within a period of four weeks from the date of receipt of certified copy of this order.

The petition stands disposed of.

December 13, 2024
Sapna Adhikari

(DEEPAK MANCHANDA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>