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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-35132-2024****Date of Decision : 20-12-2024****CHIRAG VERMA****.....Petitioner****VERSUS****STATE OF PUNJAB AND OTHERS****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Karan Sharma, Advocate for
Mr. Randeep Singh, Advocate for the petitioner.

Mr. Charanpreet Singh, AAG Punjab.

Mr. Harmanbir Singh Sidhu, Advocate for
Mr. M.K Dogra, Advocate
for the respondent No.4.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that the petitioner competed for the post of Assistant Professor in the Backward Class Category and against 4 posts available to be filled in the said Category, the merit of the petitioner was at Serial No.3 and though the posts are available but the benefit of appointment is not been given to the petitioner without any valid justification.

Learned counsel for the petitioner submits that especially when the advertised posts are vacant and the petitioner is within the merit and there is no embargo in filling up the posts hence, the petitioner should have been given the benefit of appointment.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 21.10.2024 (Annexure P-7) but the same is still pending consideration with the

respondents 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. Charanpreet Singh, Assistant Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and Mr. Harmanbir Singh Sidhu, Advocate for Mr. M.K Dogra, Advocate accepts notice on behalf of the respondent No.4 and submits that in case, the legal notice dated 21.10.2024 (Annexure P-7) 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 eight 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.

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.

20-12-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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