

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

(220-5)

CWP-21463-2020**Date of Decision : July 27, 2023****Sumit Chawla****.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Ravinder Malik (Ravi) Advocate, for the petitioner.

Mr. Jagbir Malik, Addl. Advocate General, Haryana.

Mr. Kanwal Goyal, Advocate and
Mr. Shobhit Rapria, Advocate, for Commission.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the petitioner is challenging the action of the Department in declaring him ineligible for competing against the post of District Information and Public Relation Officer as advertised vide Advertisement No.2 dated 10.09.2015.

2. Learned counsel for the petitioner submits that initially, the arguments being raised on behalf of the petitioner were not accepted by the Coordinate Bench of this Court and the writ petition filed by the petitioner was dismissed in limine vide order dated 21.01.2021 against which decision, LPA No.559 of 2021 was filed, which appeal has been allowed by the Division Bench of this Court vide order dated 07.03.2022 and a direction has been given that the eligibility of the petitioner needs to be

assessed by the Commission being an expert body.

Learned counsel for the petitioner further submits that as the Commission is not party in the present petition, on the oral request of the petitioner, Haryana Public Service Commission through its Secretary be impleaded as party so that keeping in view the observation of the Division Bench of this Court as passed in LPA No.559 of 2021, the eligibility of the petitioner could be determined so as to compete against 8 posts of District Information and Public Relation Officer, as advertised vide Advertisement dated 10.09.2015.

3. Learned State counsel raises no objection for the grant of the said prayer.

4. Keeping in view the above mentioned facts, on the oral request of learned counsel for the petitioner, Haryana Public Service Commission through its Secretary is impleaded as respondent No.4 in the present petition.

5. On asking of the Court, Mr. Kanwal Goyal, Advocate and Mr. Shobhit Rapria, Advocate, who are present in the Court, accept notice on behalf of newly added respondent i.e. Hayana Public Service Commission.

6. Learned counsel for the petitioner submits that keeping in view the direction given by the Division Bench of this Court in LPA No.559 of 2021, as the eligibility of the petitioner so as to complete for the post of District Information and Public Relation Officer is to be decided by the Haryana Public Service Commission, the petitioner has no objection in case the present petition is disposed of with direction to the Haryana Public Service Commission to decide the eligibility of the petitioner in a time bound manner by passing an appropriate speaking order.

7. Learned counsel for respondent No.4-Commission raises no objection in deciding the eligibility of the petitioner in a time bound manner.

8. Keeping in view the above, the present petition is disposed of with a direction to respondent No.4-Haryana Public Service Commission to pass appropriate order within a period of four weeks of the receipt of copy of this order so as to decide the eligibility of the petitioner qua his claim to compete for the post of District Information and Public Relation Officer as advertised vide Advertisement dated 10.09.2015. The Commission is requested to take into consideration all the relevant facts, rules, regulations prescribing the eligibility for the post in question and the qualification/other curriculum activities possessed by the petitioner.

9. It may be noticed that in case the petitioner wants to submit any document in support of his eligibility, he will be free to present the same within a period of seven days from today and all said documents will be taken into consideration while passing the order qua the eligibility of the petitioner so as to compete for the post in question. Further, it would be appropriate that the petitioner is given personal hearing before passing the speaking order.

10. The present petition is disposed of in above terms.

July 27, 2023

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No