

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

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**Civil Writ Petition No.10605 of 2015
Date of Decision:25.05.2015**

Narinder Kumar and otherspetitioners

Versus

State of Punjab and anotherrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.P.S.Khurana, Advocate
for the petitioners

ARUN PALLI, J.(ORAL):-

A writ in the nature of mandamus is prayed for, so as to direct the respondents to consider the claim of the petitioners for promotion to the post of Lecturer in their respective subjects, with effect from the date persons junior to them were promoted along with all consequential benefits.

It is averred that the petitioners were selected and appointed on the post of Master in the Department of Education on ad hoc basis and subsequently their services were regularised. Petitioners No.1 to 3 are purported to be post graduates in Physical Education, whereas petitioner No.4 has done post graduation in History. They were promoted to the post of Lecturers in their respective subjects w.e.f.30.05.2008. From the seniority list of lecturers that is alleged to have been circulated by the Department of

School Education in the year 2010 and then in 2013, it transpired that the persons junior to the petitioners in the Master cadre were promoted much earlier than the petitioners. It is maintained that the petitioners were fully eligible to be considered for promotion to the post of Lecturers even in the year 1993 when their juniors were promoted. That being so, petitioners even represented to the authorities, in this regard. But to no avail. And, prior to the institution of this petition, respondents were even served upon a legal notice dated 10.12.2014 (Annexure P4), but that too has failed to evoke any response.

Learned counsel for the petitioners submits that, at this stage, let this petition be disposed of, only with a direction to the respondents to consider and decide legal notice (Annexure P4), served by the petitioners, within a specified time.

That being so, and, without expressing any opinion on merits, and particularly, the issue as regards delay/laches, if any, respondents are directed to consider and decide the claim of the petitioners as set out in their legal notice dated 10.12.2014 (Annexure P4), strictly, in accordance with law, within a period of three months, from the receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

25.05.2015*neenu***(ARUN PALLI)
JUDGE**