

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

CWP No. 18123 of 2015
Date of decision: 31.08.2015

Davinder Kaur and others

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. D.S. Rawat, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The grouse of the petitioners is against the letter dated 21.08.2015 (Annexure P-3) whereby, the respondents have called cases for promotion of much junior Scheduled Caste category candidates for JBT/ETT Teachers.

The case of the petitioners is that their 20% quota stands exhausted and any promotion of the Scheduled Caste category employees on the post of Head Teacher against roster point will be beyond the said quota and in violation of The Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act, 2006.

Admittedly, the petitioners have already served a legal notice dated 10.07.2015 (Annexure P-2) wherein, the alleged grievance of the petitioners has been brought to the notice of the respondents. The petitioners have relied upon the judgment of the Apex Court in ***K. Manorama vs. UOI and others, 2010 (10) SCC 323.***

Without commenting on the rights of the petitioners, in such circumstances, this Court is of the opinion that it would be appropriate that

the respondents firstly take a call on the legal notice served by the petitioners.

Accordingly, this writ petition is disposed of with a direction to respondent no. 1 to decide legal notice dated 10.07.2015 within a period of 2 months from the date of receipt of certified copy of the order. Needless to say that in case the petitioners' demands are not to be accepted, the order should contain reasons.

31.08.2015
shivani

(G.S. SANDHAWALIA)
JUDGE