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

CWP No.8617 of 2015
Date of decision: 04.05.2015

Charanjit Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Sunny Singla, Advocate, for the petitioner.

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1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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**ARUN PALLI J.** (Oral)

Writ in the nature of mandamus is prayed for, so as to direct the respondents to consider and promote the petitioner as Lecturer with effect from the date persons junior to the petitioner and even those who were identically placed, were promoted vide order dated 06.01.2015, with all consequential benefits. It is averred that the petitioner was appointed as Science Mistress on 30.05.1998. In 2007, the Education department had decided to promote the Master/Mistress as Lecturer on the basis of seniority/merit and the necessary records as regards the eligible candidates were requisitioned from all high schools of the State. Case of the petitioner was sent through proper channel vide letters dated 10.02.2009, 23.07.2009 & 23.09.2010 for consideration for promotion to the post of Lecturer. But yet her claim was

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not considered. Again, department issued another letter dated 23.08.2011 (Annexure P3), vide which the records of the eligible Master/Mistress from all high schools were solicited. Once again, the case of the petitioner was sent through proper channel. However, vide order dated 06.01.2015, respondent No.5 has been promoted as Lecturer despite being junior to the petitioner. As respondent No.5 is assigned seniority position at No.2409 and petitioner is at seniority No.2306 in the seniority list. Even thereafter, again her case was sent for consideration for promotion on 21.03.2015, in the category of Left out promotion cases, but the department has failed to take any decision thereon. Thus, petitioner continue to await consideration of her claim. It is maintained that prior to the institution of this petition, petitioner even represented to respondent No.2, vide representation dated 20.01.2015 (Annexure P7). But to no avail.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to respondent No.2, to consider and decide her representation (Annexure P7) within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.2, to consider and decide the claim of the petitioner, as set out in her representation 20.01.2015 (Annexure P7), strictly in accordance with law, within a period

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of 3 months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

**( Arun Palli )**
**Judge**

May 4, 2015
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