

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

Sr. No.109

**CWP No.10620 of 2016
Date of decision: 30.05.2016**

SatyawanPetitioner

versus

Haryana State Agricultural Marketing Board, Panchkula
....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Satya Vir Singh Yadav, Advocate
for the petitioner.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, the petitioner who serves the respondent-Haryana State Agricultural Marketing Board (hereinafter referred to as 'the Board') as a Steno-Typist seeks promotion to the post of Junior Scale Stenographer. It is the case of the petitioner that at the time he was recruited as a Steno-Typist his services were governed by the Haryana State Agricultural Marketing Board Service Rules, 1974 (hereinafter referred to as the '1974 Rules') wherein, for promotion to the next higher post of Junior Scale Stenographer, amongst other qualifications, passing of the requisite test in only English Stenography was prescribed, which the petitioner passed in the year 2012 and on the passing of the same, being otherwise eligible, staked his claim for promotion to the post of Junior Scale Stenographer but since by that time, the 1974 Rules had been replaced by the Haryana State Agricultural Marketing Board Service Rules

2008 (hereinafter referred to as the '2008 Rules') which provided for passing of tests both in English Stenography as also Hindi Stenography, the case of the petitioner for promotion to the post of Junior Scale Stenographer, was not considered.

Learned counsel for the petitioner has drawn my attention to a proposal which was put before the Board of Directors of the respondent-Board through which the condition of passing of Test in the second language for Steno-Typists who had been appointed when the 1974 Rules were applicable was sought to be removed by way of an amendment to the 2008 Rules. He further referred to the order dated 02.07.2015 (Annexure P-11), through which the afore-referred proposal, as per the decision of the Board of Directors of the respondent-Board dated 10.06.2015, was ordered to be referred to a Committee, which was directed to study the matter in detail and given its report within four weeks.

Learned counsel for the petitioner submits that though four weeks were granted to the committee to give its report, even after the passage of nearly one year no report has been submitted and in the meanwhile persons like the petitioner are being put to prejudice as their cases for further promotion are being not considered. He submits that at this stage, he would be satisfied if a direction is issued to the respondent-Board to take a final decision with regard to the proposed amendment to the 2008 Rules pertaining to non-enforcement of passing of the second language stenography test for promotion of Steno-Typists to the post of Junior Scale Stenographers, who were appointed during the applicability of the 1974 Rules.

I find the prayer made on behalf of learned counsel for the petitioner to be reasonable.

Accordingly, the present petition is disposed of with the direction to the respondent-Board to take a final decision with regard to the proposed amendment to the 2008 Rules pertaining to the non-enforcement of passing of the second language stenography test for promotion of Steno-Typists to the post of Junior Scale Stenographers who were appointed during the applicability of 1974 Rules, expeditiously but not later than four months from the date of receipt of a certified copy of this order, by passing a speaking order and after affording an opportunity of hearing to the petitioner/any other affected person.

(DEEPAK SIBAL)
JUDGE

May 30, 2016
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