

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

***CWP No.12198 of 2016 (O&M)
Date of decision : 22.08.2016***

Usha Verma

....Petitioner

Vs.

The State of Haryana and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. P.L. Verma, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Pleadings on record would show that the petitioner was appointed as Hindi Teacher on 01.05.1998 in pursuance to a regular selection process. Promotion from the post of Hindi Teacher/PGT (Hindi) is to that of Lecturer. The conditions of service on the post of Lecturer are governed by the Haryana State Education School Cadre (Group 'B') Service Rules, 2012. Under the service rules, 67% posts of Lecturer are to be filled up by direct recruitment and 33% by way of promotion from amongst TGT (Hindi)/Hindi Teacher.

Counsel would submit that as per Appendix 'B' to the statutory rules the petitioner possesses the requisite qualifications as also experience and as such, is eligible to be considered for promotion to the post of Lecturer.

Instant petition has been filed raising a grievance that Hindi Teachers/TGTs and who are junior to the petitioner inasmuch as having been appointed on subsequent dates i.e. on 07.05.1998 and 22.11.2000 have been promoted to the post of Lecturer/PGT w.e.f. 06.05.2016 at Annexure P-4. Counsel would argue that the action of the respondents/Authorities in denying to the petitioner consideration for promotion to the higher post of

Lecturer in spite of being senior is arbitrary and violative of Articles 14 and 16 of the Constitution of India.

In the light of the facts and circumstance noticed hereinabove, I deem it appropriate to dispose of the instant petition in terms of granting the liberty to the petitioner to approach respondent No.2 as regards her claim and grievance. In the eventuality of any such representation being filed, respondent No.2 would be obligated to consider the same strictly in accordance with law and to dispose of the same by passing a well reasoned speaking order within a period of four months from the date of receipt of a certified copy of this order.

Disposed of.

22.08.2016

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |