

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

Civil Writ Petition No.14292 of 2016 (O&M)

Date of decision: 26.8.2016

Mahabir Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Chanderhas Yadav, Advocate,
for the petitioner.

Mr.Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (Oral)

The following prayer has been made in this petition (b) :-

“Kindly issue a writ in the nature of mandamus directing the respondent authorities to correct the service profile of the petitioner in the online MIS portal of the petitioner, as the petitioner was promoted as Lecturer in Hindi w.e.f. 12.06.2007 from the post of Mathematics Master. But the MIS portal of the petitioner still shows him Master in Mathematics, resultantly he is not able to fill up the data as per the new transfer policy guidelines, the same required to be corrected, in the present case, in the interest of justice.”

On 21.7.2016, this Court passed the following order : -

“The Director, Secondary School Education, Haryana, Panchkula to look personally into the matter regarding letter dated 15.07.2016 sent by the Principal, Govt. Sr. Sec. School, Jharli in which it is recorded as follows:-

“To Director, Directorate Secondary School Education Haryana Panchkula. Sub. :- To make correction in the

designation of designation of Shri Mahabir Singh (041258)
Lect. in Hindi. Sir, Shri Mahabir Singh is working on the
post of lect. in Hindi in the school 3106 since 12-06-2007
after Getting promotion from mathematics master. But his
MIS portal still shows him on the post of Mathematics
master. Emails on the subject cited above have been sent
earlier on 12-07-2016, 13-07-2016, 14-07-2016. Please
correct it so that he can apply for transfer preferences 2016.

Principal
Govt. Sr. Sec. School
Jharli (Jhajjar) (3106)”

He would take a final decision and communicate it to the
petitioner and place the result before the Court on the next
date of hearing redressing the grievance of the petitioner
which apparently deserves to be rectified.

Notice of motion.

On the asking of the Court, Mr. Harish Rathee, Sr.
DAG, Haryana accepts notice on behalf of the respondents
and waives service on them. He would communicate this
order to the Director.

Mr. Yadav to supply five sets of the paper book in the
office of Advocate General, Haryana and one set to Mr.
Rathee in advance during the course of the day.

List on 29.07.2016.

Order dasti.”

Mr.Rathee on instructions from Mr.Rajesh Chaudhary,
Assistant, O/o Director Secondary Education, Haryana, Panchkula further
instructed by the Director Secondary Education, Haryana, Panchkula that
the officer has made a note on the file regarding the grievance of the
petitioner that his service profile has not been updated in MIS portal so far.
An assurance has been given to the Court by Mr.Rathee on instructions
from the department that the MIS portal will be suitably reflected in PGT
cadre when this portal will be available for class of teachers (Lecturers). It

may be noted that the petitioner was promoted as Lecturer in Hindi from the post of Mathematics Master with effect from 12.6.2007. This substantially redresses the grievance of the petitioner and taking assurance as an undertaking to the Court, this petition is disposed of with a direction that MIS portal of the petitioner should be reflected as soon as the process of updating MIS portal is undertaken in the cadre of Lecturers so as not to prejudice his rights to promotion etc. Before effecting any transfer, the petitioner would be asked to submit his options in future.

With these directions, the petition stands disposed of.

While disposing of this case, let show cause notice issue to the petitioner as to why contempt proceedings should not be initiated against him for his pleadings in para. 3 and 4 of the application. The petitioner to appear in person in Court on the next date of hearing.

List again on 22.9.2016.

The request for withdrawing the application is turned down in view of the seriousness of the matter.

(RAJIV NARAIN RAINA)
JUDGE

August 26, 2016

Paritosh Kumar