

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

CR No.5499 of 2017

Date of Decision: 04.12.2017

Amarjit

..... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.K. Malik, Sr. Advocate with
Mr. Pardeep Sherawat, Advocate
for the petitioner.

Mr. Ashwani Kumar Saini, DAG, Haryana.

RAJ MOHAN SINGH, J.(ORAL)

[1]. Petitioner has assailed the order dated 20.04.2017 passed by Civil Judge (Senior Division), Panipat vide which execution application filed by the petitioner was dismissed and the order dated 25.07.2017 passed by Additional District Judge, Panipat vide which appeal of the petitioner was also dismissed.

[2]. While issuing notice of motion on 21.08.2017, following order was passed:-

“Learned senior counsel for the petitioner contends that while dismissing the regular second appeal vide order dated 29.04.2015, the High Court has recorded a finding that the petitioner is B.A./B.Ed. and M.A. in Hindi. In B.A., the petitioner was having Hindi as a main subject and thereafter, she has done M.A. in Hindi and therefore, she was having the qualification higher than the minimum prescribed for the post of Hindi Guest Teacher. Re-joining

was ordered by the Director School Education, Haryana vide order dated 06.10.2016 but the same was withdrawn by the Director Elementary Education, Haryana vide memo dated 17.11.2016 despite the fact that no regular incumbent has joined the post on which the petitioner was working.

Learned counsel relies upon information received under the Right to Information Act to the effect that Ms. Geeta, PGT has not joined against the post of the petitioner.

Notice of motion for 01.09.2017.

Liberty is granted to the learned counsel for the petitioner to serve the respondents No.1 to 4 through the office of Advocate General, Haryana.”

[3]. Thereafter, learned State Counsel sought time on number of occasions in order to have further instructions with regard to availability of vacancies in nearby places.

[4]. Today, Mr. Rajesh Kumar, Clerk of the office of District Elementary Education Officer, Panipat has come present along with authorization for attending the proceedings of this case. He has moved a list showing vacancy position of Hindi Teachers in different schools as on 27.10.2017. Serial No.8 finds vacancy position of Hindi Teacher to which petitioner has shown her desire to be accommodated.

[5]. Learned State Counsel on instructions from Mr. Rajesh Kumar, Clerk of the office of District Elementary Education Officer, Panipat states that the Department would issue

necessary order of appointment within fortnight.

[6]. Let necessary follow up action be done in the aforesaid context. Petitioner would be at liberty to seek consequential benefit in appropriate Forum. In the event of such claim, the same shall be decided by the competent authority in accordance with law.

[7]. Disposed of accordingly.

04.12.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Whether reportable

Yes/No

Yes/No