

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13979 of 2015 (O&M)

Date of Decision: 15.2.2017

Ashwani Kumar and others

..Petitioners

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr.Aman Arora, Advocate for the petitioners.
Mr.Hitesh Pandit, Addl.AG Haryana.

AJAY TEWARI, J.

The petitioners' claim for promotion to the post of PGT on the ground that vacancies were there prior to the amendment of the Rules and thus, the judgment in **Y.V.Rangaiah Vs. J.Sreenivasa AIR 1983 SC 852** would apply.

Learned Addl.AG Haryana has, however, states that an identical issue came up before this Court in **CWP No.8575 of 2013 Mahender Singh Vs. State of Haryana and others** decided on 19.1.2016 where a coordinate Bench after considering the judgment in **Deepak Aggarwal and another Vs. State of Uttar Pradesh and others 2011(6) SCC 725** and **Y.V.Rangaiah's case (supra)** had rejected the prayer.

Learned counsel for the petitioners is not in a position to deny this. He has, however, argued that as regards petitioners No.5, 9, 13 and 20

their case be forwarded for consideration for promotion prior to the amendment of the Rules.

Learned Addl.AG Haryana points out that this was the exact position in the case of ***Mahender Singh (supra)***.

In these circumstances, the present petition is dismissed in the same terms.

15.2.2017
Meenu

(Ajay Tewari)
Judge

Whether speaking/reasoned	- Yes/No
Whether Reportable	- Yes/No