

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

Civil Writ Petition No.21534 of 2013

Reserved on: 11.12.2017

Decided on : 20.12.2017

Ved Parkash Gupta

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. K.S. Godara, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

G.S. Sandhawalia, J.

By way of amended writ petition, the petitioner challenges the order dated 17.10.2013 (Annexure P-3), whereby respondent No.1 has rejected his representation for the award of the State Level Best Teacher.

The reasoning given in the said order was that the said exercise was to be done by a jury and by giving awards in the form of only citation and memento and the persons recommended had accordingly been given a Citation and Angvastra only. No such benefits like enhancement in the retirement age or any other financial benefits were given to any selected teacher. It has further been noticed that the names of the teacher had been recommended keeping in view the experience, reputation as a teacher, contribution to community in terms of academics and ancillary activities. Such teachers were to have no pending inquiries or disciplinary action under Rule 7 & 8 and have no adverse remarks about integrity in the ACRs of at least 10 years.

The pleaded case of the petitioner is that while working as Associate Professor on regular basis in the Government National College, Sirsa, he has rendered his extra ordinary service to the entire satisfaction of the respondents. He has a excellent service record and had been honoured from time to time by the District Administration for social works. In such circumstances, the procedure followed by the State has been challenged on the ground that it is pick and choose policy. Various grounds have been taken that the service record of the petitioner has not been taken into consideration and the jury members has resorted to favourtism.

The State in its reply has submitted that in the unamended petition the prayer was that for extension in service for 2 years consequent upon the State Level Best Teacher Award and the retirement should be stayed. It was clarified that there was no provision whereby an extension could be provided in the retirement age and any retirement benefits to be given. The jury had been constituted by the State Government to be honoured on Teachers' Day. Ten best Teachers and three best Principals for the session 2012-2013 were recommended by the said jury and these persons were given a Citation and Angvastra only. The petitioner had given his representation on 16.09.2013 and a speaking order was issued on 17.10.2013 (Annexure P-3) after the interim order passed by this Court. The awards had been given in the form of Citation and Angvastra after checking the records of the concerned i.e. ACRs, pending inquiry or disciplinary action under Rules 7 & 8.

Resultantly, keeping in view the above and the fact that there is no legal vested right with the petitioner for the award of the said benefit, this Court is of the opinion that the constitution of the juries for the purposes of selecting the teachers and principals as such would not give any vested right to the petitioner for entitlement of the awards. On account of the Teachers' Day being celebrated, the said proceedings had been organized and, thereafter, the jury had submitted the names of the awardees and as noticed certain criteria has been prescribed by the State Government and after due consideration the same had been done.

The petitioner, thus, as such has no ground of claim that he should be granted the said benefit, on account of the fact that he has not been a beneficiary of the said process. As noticed the representation was filed after the said exercise had already been completed and a State Level Function was conducted on 05.09.2013 and, thus, he cannot claim any benefit, thereafter.

Resultantly, this Court does not feel that the relief prayed for can be granted in the absence of any legal right. Nothing as such has been demonstrated that persons awarded were given undue benefits or that there is any malafide since no members of the jury have also been impleaded as respondent.

Accordingly, there is no merit in the present writ petition and same is dismissed.

20th December, 2017

Naveen

Whether speaking/reasoned:

Whether Reportable:

**(G.S. SANDHAWALIA)
JUDGE**

Yes/No

Yes/No