

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

Civil Writ Petition No.14975 of 2017

Date of decision: 24.07.2017

Sukhdev Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. R.K.Malik, Senior Advocate with
Mr. Bhupinder Malik, Advocate for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners seeks consideration for promotion as Principals from the date their juniors have been promoted with all consequential benefits.

It is the case of the petitioners that on 26.4.2017 (Annexure P/1), a tentative list of Headmasters(High School) eligible for promotion to the post of Principals (School Cadre) was circulated. The name of the petitioners are stated to be mentioned in the said list. Thereafter, the private respondents no.3 to 50 were promoted vide order dated 31.5.2017(Annexure P/2). It is further case of the petitioners that they are senior to private respondents and the details have been mentioned in paragraph no.4 of the writ petition.

Resultantly, the petitioners had approached respondents no.1 to press their claim for promotion and they were informed that since their selection as such was challenged before this Court which was upheld vide judgment dated 3.11.2012 (Annexure P/3) but since the appeal was pending, therefore, their cases for promotion have not been considered. The petitioners, thereafter, served a legal notice dated 3.6.2017(Annexure P/4)

upon respondent no.1 but the same has not been acted upon.

Counsel for the petitioners submits that he would be satisfied, at this stage, if a direction is issued to the respondent no.1 to decide the said legal notice dated 3.6.2017 (Annexure P/4) within some fixed time frame.

Notice of motion.

Mr. Harish Rathee, Senior Deputy Advocate General, Haryana accepts notice on behalf of respondent no.1.

Copy of the writ petition has been supplied to him.

Accordingly, without commenting upon the merits of the case or entitlement of the petitioners as such regarding the relief claimed and keeping in view the fact that a legal notice dated 3.6.2017 (Annexure P/4) is still pending consideration, the present writ petition is disposed of with a direction to respondent no.1 to take into consideration the said legal notice dated 3.6.2017 (Annexure P/4) and take a decision within a period of two months from the date of receipt of the certified copy. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and copy thereof be supplied to the petitioners.

The present writ petition is disposed off with the aforesaid directions.

July 24, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No