

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

CWP No. 18472 of 2017
Date of decision: 21.08.2017

Meenu Rani

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Ashok Bhardwaj, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks quashing of the action of respondent no. 2 vide which she has been allotted Yamuna Nagar district for the post of Primary Teacher (PRT) vide letter dated 11.08.2017 (Annexure P-3) wherein, her name figures at Sr. No. 699 and her merit has been shown as 6946-A.

It is her case that in pursuance of the advertisement no. 2 of 2012 (Annexure P-1), six choices in order of priority were to be given as it is a district cadre post and district wise number of vacancies had been appended. Reference has been made to Appendix 'C' to show the chart of the districts. Reference is also made to the options given in the application form to show that priority was given for various districts starting from Jind, Hisar, Bhiwani, Panipat, Kaithal and Karnal. Yamuna Nagar does not fall in the list of districts opted for which has now been allocated to the petitioner. The grouse also is that juniors in the merit list have been given districts of their preferences and the petitioner has not been given the district of choice out of the 6 districts. Further, reference is made to the judgment of the Division Bench in ***CWP No. 6090 of 2010, Tilak Raj vs.***

State of Haryana and others, decided on 30.03.2011 (Annexure P-5) to

submit that guest faculty teachers had to be weeded out and various judgments have followed the said view thereafter also. Reference is also made to ***CWP No. 2867 of 2017, Sanjay Kumar and others vs. State of Haryana and others*** (Annexure P-6) to submit that the regular appointees were not being given their choice of districts on account of guest faculties occupying the posts.

Counsel submits that a representation dated 12.08.2017 (Annexure P-7) has already been made to respondent no. 2 that the husband of the petitioner is working in district Jind and on account of having two minor children, option had been given, as noticed above but the same is pending consideration. Counsel further submits that he would be satisfied if the said representation is decided within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him.

Without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with direction to respondent no. 2 to take a decision on the said representation dated 12.08.2017 (Annexure P-7) within a period of 2 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioner.

21.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No

