

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23853 of 2014

Date of Decision:-04.05.2017.

Savitri Dhanda

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Ram Niwas Sharma, Advocate for the petitioner.

Mr. Hitesh Pandit, Additional A.G. Haryana.

P.B. BAJANTHRI, J. (Oral)

The petitioner has sought for a direction to the respondents to promote her to the post of Headmistress, High School w.e.f. 18.1.2002, the date on which juniors were promoted instead of 10.8.2009 vide order dated 23.7.2013 (Annexure P-2). Further she has sought for promotion to the post of Principal w.e.f. 20.7.2007 (Annexure P-4). During pendency of this petition, the respondents have passed orders on 16.8.2016 and 27.10.2016 by which date of promotion of the petitioner has been altered as desired by the petitioner. In view of Annexure R-1 and R-2 whether the petitioner is entitled for monetary benefits during the intervening period from 18.1.2002 to 23.7.2013 in the post of Headmistress and in the post of Principal during the intervening period from 20.7.2007 to 27.10.2016. Admittedly, the petitioner had the cause of action on 18.1.2002 for the purpose of

Headmistress is concerned by virtue of the decision passed by this Court in in CWP No.16674 of 2006 titled as **“Bahadur Singh and another Vs. State of Haryana and others”** where certain qualifications of non-teaching posts (LTC) and BT/B.Ed. By virtue of the said decision read with service particulars of the petitioner, the petitioner had cause of action in the year 2008 whereas the petitioner has approached this Court only in the year 2014. Having regard to the delay in seeking relief in respect of promotion to the post of Headmistress and Principal by the petitioner in the year 2002 and 2007, respectively, the petitioner has been rightly denied the benefit of promotion with the monetary benefits. In other words, notional promotion has been granted from 18.1.2002 in the cadre of Headmistress and in the cadre of Principal w.e.f. 20.7.2007. Thus, the petitioner is not entitled for any monetary benefits during the intervening period from 18.1.2002 to 23.7.2013 for the cadre of Headmistress and for the cadre of Principal from 20.7.2007 to 27.10.2016.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

May 04, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.