

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.24868 of 2016(O&M)

Date of Decision:-27.02.2017

Krishan Ram.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Vivek Sharma, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

CM No.1655 of 2017

Instant CM has been filed under Section 151 CPC for placing on record the details of ACRs in the case of petitioner in view of the facts and circumstances of the case.

For the reasons stated in the application duly supported by affidavit of petitioner, the CM is allowed and same are taken on record.

CWP No.24868 of 2016

The petitioner, who belongs to Backward Class category has retired on attaining the age of superannuation w.e.f. 31.5.2015 from the rank of Headmaster to which he was promoted on 4.10.2011. By filing the present petition he has assailed the order dated 4.2.2016 Anneuxre P-12 passed by DPI (Secondary Education), Punjab whereby his claim for retrospective promotion as Headmaster w.e.f. 1993 against the reserved roster points belonging to Backward Class has been rejected.

Counsel for the petitioner submits that in the year 1993 the case of all the Masters including the petitioner who were belonging to the Backward Class category were summoned for consideration for promotion

to the rank of Headmaster based upon selection, however, the case of the petitioner was illegally ignored being beyond the cut off point in the seniority list of the Masters.

After hearing Counsel for the petitioner, no case for interference is made out. It is conceded that the criteria for promotion from the post of Master to the rank of Headmaster is seniority-cum-merit, therefore, the persons falling within the zone of consideration for appointment by way of promotion based on the number of vacancies available in the promotion quota, including against reserved roster points for reserved categories were required to be called and their cases considered. It is also not in dispute that in the year 1993 the last employee Mohan Singh belonging to the Backward Class who was promoted was placed at Seniority point no.3456 whereas concededly the seniority point of the petitioner is 15526, therefore, he was not even eligible to be placed within the zone of consideration. The reasons assigned in the speaking order are absolutely correct and require no interference.

In view of the above finding no merit in the present petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

February 27, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>