

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.25432 of 2017

Date of Decision: November 08, 2017

Pawan Parkash

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Satbir Gill, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

Learned counsel for the petitioner submits that despite the fact that his juniors have been promoted vide an order dated 01.12.2016 (Annexure P-3), specifically pointing to all persons mentioned from Sr. No.23 onwards in the aforesaid order, the petitioner has not been promoted to the post of an Elementary School Headmaster.

It has also been contended that the petitioners' case for promotion has been recommended by the Headmaster of the school in which he is presently teaching, but even so it has not been decided by the competent authority.

Consequently, this petition is disposed of with a direction to the competent authority amongst the respondents to take a decision on the promotion of the petitioner from the date that the persons junior to him (as contended) are stated to have been promoted, the petitioner claiming that he was senior to the aforesaid persons, named from Sr. no.23 onwards in Annexure P-3, he having been promoted as a Sanskrit Teacher on

15.03.2005, with the aforesaid persons having been promoted thereafter, to the feeder cadre posts of Elementary School Headmasters.

A speaking order be passed on the claim of the petitioner within a period of 3 months from the date of receipt of a certified copy of this order.

It is made clear that if the petitioners' case is found to be correct by the competent authority, he would also be entitled to all consequential benefits including arrears of pay, he not being at fault for his non-promotion.

However, if for any reason (other than not having worked on the post), he is considered to be not eligible for the arrears of pay, such reasons shall be given in detail in the speaking order to be passed.

November 08, 2017
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(**Amol Rattan Singh**)
Judge

Whether speaking/reasoned:	Yes
Whether reportable:	No