

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

CWP No.407 of 2017

Date of decision : January 31, 2017

Surekha

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Karan Nehra, Advocate
for the petitioner.

Jaishree Thakur, J.(ORAL),

The instant writ petition has been filed seeking issuance of a writ in the nature of Certiorari/Mandamus to quash order dated 28.09.2016 (Annexure P-1) by which respondent No.5 has been promoted as Head Teacher at Basti Tibbi Sahib with a further direction to quash the transfer order of respondent No.5 from Basti Tibbi Sahib to ChakBir Sarkar, as well as seeking a direction to post the petitioner at ChakBir Sarkar as Head Teacher.

Learned counsel for the petitioner contends that respondent No.4 has been given preferential treatment in so far as allocating seat/station BastiTibbi Sahib and being junior would have not been able to avail of this post. It is further contended that a legal notice has been served upon the department, wherein, it was requested that the petitioner should be adjusted at BastiTibbi Sahib as Head Teacher being senior to Pushpa Rani, respondent No.5. However, the said representation has not been decided.

After hearing counsel for the petitioner at some length, it is difficult for the Court to arrive at a conclusion as to whether the petitioner herein is senior to respondent No.5 as claimed and if the said post was available for allotting to the petitioner.

In view of the above, writ petition is being disposed of with a direction to respondents No.1 to 3 to decide the legal notice served upon the respondents as expeditiously as possible preferably within a period of two months from the date of receipt of certified copy of this order.

In case the petitioner is entitled to the relief as claimed, the needful be done thereafter preferably within a period of two months.

Writ petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

January 31, 2017

ps-I

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No