

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.946 of 2017.

Date of Decision: January 19, 2017

Satish Kumar

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Balraj Gujjar, Advocate, for the petitioner.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The grievance of the petitioner is against Note-III of Appendix-B of Haryana State Education School Cadre (Group-B), Service Rules, 2012, which defines “consistent good academic record”.

The petitioner has the grievance against the manner in which the subject provision contemplates to assess the 'consistent good academic record' of a candidate.

We have heard learned counsel for the petitioner.

In our considered view, unless the rule is found to be inconsistent with any Constitutional provision or a Statute or against public policy, it would not be expedient for a Writ Court to interfere with it and assume the role of Rule Making Authority. The amendment, substitution or streamlining of the existing provisions, is essentially an exercise within the purview of Rule Making Authority. It is thus not necessary to express any

views on merits, rather we deem it appropriate to dispose of this writ petition with a direction to respondent No.1 to entertain this petition as a representation on behalf of the petitioner and consider his grievance in accordance with the State policy. It shall be appreciated if the appropriate decision is taken within a period of four months from the date of receiving a certified copy of this order. The petitioner shall be required to send a copy of the writ petition alongwith certified copy of this order to respondent No.1.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

January 19, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No