

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

C.O.C.P. No. 2374 of 2017 (O&M)

Date of Decision: 06.07.2018

Amandeep Singh and others

..... Petitioners

Versus

Shri Krishan Kumar, IAS, Principal Secretary to
Govt. of Punjab, Department of School Education,
Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Alka Chatrath, Advocate
for the petitioners.

Mr. Aditya Sharda, Assistant Advocate General, Punjab
for the respondents.

JASWANT SINGH, J. (ORAL)

The petitioners, three in number, were selected as 'Physical Training Instructors' ('PTIs') pursuant to the advertisement dated 21.10.2006. Some of the unsuccessful candidates filed writ petitions before this Court on the ground that they had been illegally considered 'Ineligible', although they possessed higher qualifications in the same line, as prescribed for the post of 'PTI'. The PTIs form part the cadre of 'Classical & Vernacular' ('C&V') Teacher with certificate of Physical Education as one of the statutorily prescribed qualifications. The unsuccessful candidates, who had filed writ petitions possessed the qualifications of diploma and degrees in Physical Education. The bunch of writ petitions, in the light of the decision of the Full Bench of this Court vide order dated 05.02.2010, got

Versus State of Punjab and others, whereby the candidates possessing higher qualifications were declared to be eligible for appointment as PTI Teachers. Consequently, a revised merit list was framed, whereby such candidates came about to be placed higher in merit than the present petitioners.

The present petitioners, thereafter, filed a writ petition bearing *CWP No. 27231 of 2016* claiming fixation of their seniority over and above the ones appointed in the year 2012 after the decision of the Full Bench in ***Manjit Singh's case (supra)***. The Department, however, fixed the seniority of the persons appointed in the year 2011 over and above the candidates appointed as PTIs initially in the year 2006-07 on the basis of revised merit list. The aforesaid writ petition bearing *CWP No. 27231 of 2016* was disposed of by this Court vide order dated 23.12.2016 (**Annexure P-1**) with the directions to the authorities concerned to consider the objections of the petitioners before finalizing the seniority and making the consequent promotions.

Since no speaking order was passed within time framed, fixing the seniority, hence the present contempt petition.

At the time of hearing, counsel for the petitioners states that now a speaking order dated 12.10.2017 in compliance of the directions dated 23.12.2016 (**P-1**) stands passed and the petitioners having already challenged the same by filing separate writ petition(s), therefore, does not wish to proceed further and seeks withdrawal of the present contempt petition.

Dismissed as withdrawn.

Since the main case has been dismissed as withdrawn,

therefore, no orders are required to be passed in the pending miscellaneous application(s), if any, and the same stand(s) disposed of.

July 06, 2018

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**(JASWANT SINGH)
JUDGE**

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