

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 30.11.2018****CWP No.16060 of 2013**

Sunita Devi

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rajesh Bansal, Advocate, for the petitioner.

Mr. Harish Nain, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. As far as the claim for promotion as Sanskrit Teacher is concerned, the petitioner is not eligible for consideration for promotion at the relevant time as she did not possess the degree of Bachelor of Arts in Sanskrit to make her eligible. She had read Sanskrit as an elective subject in her graduation.

2. As far as claim for promotion to the post of Hindi Teacher is concerned, the stand of the State is that due to lack of vacancy, the case for promotion could not be considered.

3. Learned counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondents that in case vacancy is available, then the case of the petitioner will be considered.

4. Accordingly, this petition is disposed of with a direction to the respondents to consider the case of the petitioner as per her qualification, experience, seniority etc. in accordance with law as and when any vacancy

is/was available. In case the department is convinced that she possesses such a right and person junior to her has been promoted, she may be promoted with consequential benefits as admissible in law and as per rules and administrative precedents.

30.11.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*