

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

CWP No.20122 of 2018 (O&M)

Date of decision: 14.08.2018

Pawan Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Gopal Sharma, Advocate,
for the petitioners.

Ritu Bahri, J.

The petitioners are seeking direction to the respondents to grant them promotions to the post of TGT Physical Education (earlier known as D.P.E. PT Master) along with other PTI Teachers, who have been recently promoted vide order dated 25.07.2018 (Annexure P-10) passed by Director-Elementary Education, Haryana-respondent No.2.

The petitioners were appointed as PTI Teacher in Haryana School Education Cadre (Group C) in the year 2010. However, vide order dated 25.07.2018 (Annexure P-10), persons junior to them, have been promoted.

Precise case of the petitioners is that persons, who had done one year course of B.P. Ed./D.P.Ed. have been promoted, whereas the petitioners, who were having 03 year degree course, have been ignored.

This issue came up for consideration before this Court in **Sharmila and another vs. State of Haryana and others**, CWP No.21610 of 2008 (Annexure P-7), which was disposed of on 19.02.2010 keeping in view the decision given by a Full Bench of this Court in CWP No.451 of

2008 on the proposition that candidate possessing higher qualification in the same line cannot be excluded from consideration for selection/promotion. Pursuant to the said order, promotions were given to all the candidates, who had 03 year degree course in B.P.E.

In the present case, petitioners are claiming the benefit of aforesaid judgment passed by the Full Bench of this Court. With regard to their grievance, petitioners have made a representation dated 26.07.2018 (Annexure P-12) to respondent No.2 seeking promotion to the post of TGT Physical Education (PT Master), but no action has been taken thereon till date.

At this stage, present petition is disposed of by giving direction to respondent No.2 to look into the representation dated 26.07.2018 (Annexure P-12) and pass a speaking order thereon keeping in view the decision given by this Court in **Sharmila's** case (supra), within a period of two months from the date of receipt of certified copy of this order.

14.08.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No