

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

CWP No.9550 of 2014

Date of Decision:-02.08.2018

Amandeep Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr. Ashok Bhardwaj, Advocate
for the petitioner.

Ms. Devaki Anand Sullar, AAG Punjab
assisted by Mr. Charanjit Singh, Sr. Assistant, E-I Branch, O/o
Director, Public Instructions (Secondary Education), Punjab
Education Board Complex, Mohali.

JITENDRA CHAUHAN J.(Oral)

Prayer in this petition filed under Articles 226/227 of the Constitution of India is for quashing of order dated 09.1.2014 (Annexure P-9) vide which name of the petitioner has been omitted from the list of promotion to the post of DPE, which was earlier granted vide order dated 17.5.2012 (Annexure P-5).

Notice of motion in this case was issued on 16.5.2014, however, reply so far has not been filed in the matter.

Learned counsel for the petitioner states that at this stage he will be satisfied in case direction is issued to respondent No.1 to examine

the case of the petitioner as per judgment passed by this Court in **CWP No.185 of 2014 (O & M)**, case titled 'Sweety Badwal and others vs. State of Punjab and others', decided on 16.12.2016 in a time bound manner.

Learned State counsel submits that she has no objection if the present petition is disposed of in terms of the prayer made by learned counsel for the petitioner.

In these circumstances, Respondent No.1-Principal Secretary, Department of Education, Civil Secretariat, Punjab-II, Sector 9, Chandigarh is directed to examine the case of the petitioner in the light of judgment dated 16.12.2016 passed in CWP No.185 of 2014 within a period of six weeks from the date of receipt of certified copy of this order. On examination, if the competent authority reaches to the conclusion that the case of the petitioner is covered by the ratio of law laid down by this Court in CWP No.185 of 2014 (supra), consequential relief be passed in favour of petitioner within six weeks thereafter. However, in case the competent authority feels that the case of the petitioner is not covered by the ratio of law laid down by this Court in CWP No.185 of 2014 (supra), a speaking order in the matter be passed.

August 02, 2018
Vijay Asija

(**JITENDRA CHAUHAN**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No