

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.18876 of 2019

Date of decision:15.07.2019

Surat Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Piyush Aggarwal, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Prayer in present writ petition is for issuance of a writ in the nature of mandamus directing respondents to consider the case of petitioner for grant of State Award for the year 2019-20.

Petitioner is stated to have been appointed as Demonstrator, Physical Education (DPE) on contractual basis for the period of 89 days in the office of Government Senior Secondary School in village Kherla, District Gurugram. His services were regularized w.e.f. 01.10.2003, vide order dated 27.02.2004. Thereafter, he was transferred to Government Senior Secondary School, Ghambroj Alipur, Gurugram and again transferred to Government Senior Secondary School, Bhondsi, Sohna, Gurugram. However, in 2017, he was transferred to Government Girls Senior Secondary School, Badshahpur, Gurugram. The State Government has come out with a Scheme dated 06.07.2018 (Annexure P-5) for grant of State Award laying down certain parameters for eligibility.

Learned counsel contends that petitioner fulfills the criteria as set out by the State Government in the said Scheme. Vide letter dated

20.07.2018 (Annexure P-6), Principal, Government Girls Senior Secondary School recommended name of petitioner to Block Elementary Education Officer, Sohna which would be at the level of District Level Committee but his case has not been forwarded to State Level Committee as per rules.

It is a matter of record that District Level Committee has considered the case of petitioner and awarded 52.5% marks which according to contention of learned counsel for petitioner is within the parameters of State Award Criteria and therefore, predicament of petitioner is writ large. In this regard, he submitted an application seeking information under Right to Information Act, (Annexure P-8) but no action has been taken so far.

Keeping in view such circumstances, I am of the view that it is a fit case where directions are required to be issued to respondents no.2 and 3 for taking action on the recommendations (Annexure P-6) in accordance with State Award Scheme dated 06.07.2018, after affording the opportunity of hearing, if necessity arises, within a period of one month from the date of receipt of certified copy of this order.

In case, representation is not decided within aforementioned specified time, there shall be costs of Rs.50,000/- to be paid by the concerned officer to the petitioner.

(AMIT RAWAL)
JUDGE

July 15, 2019

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Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No