

**Sr. No.121
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.25386 of 2019 (O&M)

Date of Decision: 11.09.2019

Achala Sharma

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Jyoti Sareen, Advocate,
for the petitioner.

Ms. Anu Chatrath, Senior Advocate with
Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Grievance of the petitioner is that her claim for promotion to the post of 'Hindi Teacher' with effect from the date her juniors have been accorded the benefit of promotion has not been considered despite her having represented to the department vide representation dated 03.09.2007.

2. Learned counsel submits that pursuant to the said representation, petitioner was assured that those juniors have been inadvertently promoted and their promotion orders would be cancelled, in due course and in the premise, the petitioner did not pursue her claim for promotion.

3. Subsequently, on coming to know that said juniors were throughout allowed to continue on the promoted post, petitioner once again caused a legal notice dated 27.05.2019 (Annexure P-5) pursuant whereto vide letter dated 02.08.2019 (Annexure P-6), she was accorded a personal hearing but no orders have been passed

after the said hearing till date. Hence, the writ petition.

4. Learned counsel for the petitioner has also drawn my attention to a judgment rendered by this Court in ***CWP No.20625 of 2010 decided on 17.02.2014 titled as Parveen Kumari Vs. State of Punjab and others*** contained at Annexure P-7 and contends that case of the petitioner is squarely covered by ratio therein.

5. Notice of motion.

6. On advance service of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

7. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the legal notice dated 27.05.2019 (Annexure P-5) and also by going through the judgment dated 17.02.2014 contained at Annexure P-7, which according to learned counsel for the petitioner is squarely applicable to the case of the petitioner herein and pass a speaking order, in accordance with law.

9. Let the needful be done within a period of 2 months from the date of receipt of a certified copy of this order.

10. Disposed of in above terms.

(ARUN MONGA)
JUDGE

11.09.2019

vandana

Whether speaking/reasoned

Whether Reportable

Yes/No

Yes/No