

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP No.29934 of 2019 (O&M)

Date of decision: 17.10.2019

Gurjeet Kaur and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Vishal Mittal, Advocate
for the petitioners.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J. (ORAL)

The present writ petition has been filed for issuance a writ/order or direction in the nature of mandamus commanding the respondents to consider the petitioners for appointment to the post of Social Science, Punjabi, Math, Hindi, English etc. Master/Mistress, as the case may be, by according benefit of revised/amended result.

2. Learned counsel for the petitioners relies on the judgment dated 26.02.2019 (Annexure P/1) passed by this Court in CWP No.21108 of 2017. The relevant portion of the judgment is as under:-

"Petitioners, in the above-mentioned petitions, are seeking a writ of mandamus to direct the respondents to consider the case of the petitioners for appointment to the posts of Masters/Mistresses/E.T.T. Teachers in various subjects as they claim to have cleared Teachers Eligibility Test as per the revised result.

Admittedly some appointments were made on the basis of result

declared earlier. An anomalous situation has arisen as to the entitlement of the petitioners for appointment on the basis of revised result and the right of the persons, appointed on the basis of earlier result, to continue in service.

A query has been put to Mr. Bajwa whether a committee of senior officers headed by the Chief Secretary can consider the entire issue and take a just and fair decision under the circumstances. He submits that there is no impediment in such an exercise.

Under the circumstances, the bunch of petitions are hereby disposed of with a direction that a committee of three officers headed by Chief Secretary shall be constituted to consider the claim of the petitioners as well as related issues. A decision shall be taken within two months and the petitioners be informed accordingly. The committee would also take into consideration the *consolidated affidavit filed in CWP Nos.24341 and 29601 of 2017 while arriving at its decision*".

3. The petitioners also submitted representation dated 01.02.2019 (Annexure P-3), but the same has not been adverted by the respondents. Hence the present petition.

4. Notice of motion.

5. On advance service of copy of petition, Ms. Ambika Bedi, Assistant Advocate General, Punjab has put in appearance on behalf of respondent-State.

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

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 01.02.2019 (Annexure P-3) and also by keeping in view the contentions stated in the present writ petition by treating it as a

supplementary representation and pass a speaking order, in accordance with law and also by keeping in mind the decision of the Committee constituted pursuant to order dated 26.02.2019, *ibid*.

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

9. Disposed of in above terms.

17.10.2019

D.Bansal

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No