

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

CWP No.3931 of 2020
Date of Decision: 13.02.2020.

Amarjit Kaur

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. S.K. Malik, Advocate for the petitioner.

B.S.WALIA, J. (Oral)

1. Learned counsel contends that the claim of the petitioner for promotion to the post of TGT (Punjabi) was rejected on account of the petitioner not possessing qualification of B.A. with 50% marks, whereas there is no such requirement under the rules applicable i.e. Haryana State Education (Group-C) State Cadre Service Rules, 2012, therefore, the impugned order Annexure P/5 dated 24.05.2018 is legally unsustainable.

2. Learned counsel further contends that identically situated employees had challenged order rejecting their claim for promotion to the post of TGT (Punjabi) by way of CWP No.12143 of 2016 and other connected matters, titled as Suresh Chander and others vs. State of Haryana and others, and the said writ petition along with connected writ petitions, was disposed of vide order dated 12.09.2018, directing the respondents therein to consider and decide the claim of the

petitioners therein. Learned counsel contends that pursuant thereto, petitioners therein were promoted to the post of TGT (Punjabi), without insisting on the requirement of having 50% marks in B.A. Learned counsel states that the petitioners served a legal notice Annexure P/7 dated 16.11.2019, praying for relief as had been granted to the petitioners of CWP No.12143 of 2016, pursuant to decision of their representation but the claim made in the legal notice had not been decided till date and that in the circumstances the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide the same in accordance with law in a time bound manner.

3. Notice of motion to respondent No.2 only. Mr. Harish Rathee, learned Sr. DAG, Haryana, accepts notice on behalf of respondent No.2, waives service and states that he has no objection to the limited prayer of learned counsel for the petitioner.

4. Without commenting upon the merits of the controversy or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the claim as made in legal notice Annexure P/7 dated 16.11.2019, in accordance with law, after taking into account all aspects of the matter, as expeditiously as possible preferably within three months from the date of receipt of certified copy of this order.

(B.S.WALIA)
JUDGE

13.02.2020.

rajesh.k.khurana

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No