

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

CWP No.5303 of 2020 (O&M)

Date of Decision:27.02.2020

Subhash Chand

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner is aggrieved of the action of the respondent authorities in having declined his claim for promotion as TGT (Punjabi) on the ground that he did not have Punjabi as a teaching subject in B.Ed.

Counsel has adverted to the Haryana School Education (Group-C) State Cadre Service Rules 2012 and whereunder for promotion to the post of TGT (Punjabi), the requirement is for a JBT Teacher to have BA with at least 50 per cent marks in Punjabi as an elective subject and two years diploma in Elementary Education.

The precise contention raised is that petitioner fulfils the essential qualifications to be considered for promotion to the post of TGT (Punjabi) as laid down under the statutory rules, whereas the respondent authorities have declined his claim by imposing a condition which is alien to the rules.

Further contends that in similar circumstances, other JBT Teachers had approached this Court and in such writ petitions directions had been issued to take a final decision on a representation and pursuant

thereto promotion orders have been issued. By way of instance counsel has referred to an order dated 05.02.2020 passed by the ***Coordinate Bench in CWP No.3137 of 2020 (Deepak Kumar Vs. State of Haryana and others)***.

Counsel states that he would be satisfied if the writ petition were to be disposed of with a direction to the concerned authority to examine the claim of the petitioner.

Submission made by counsel is found to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.2 i.e.the Director, Elementary Education, Haryana, to examine the claim of the petitioner against the backdrop of a legal notice dated 16.12.2019 (Annexure P-7) and to take a final decision thereupon expeditiously and in any case within a period of two months from the date of receipt of certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 27, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No