

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

**CWP-5769-2020 (O&M)
Date of Decision:02.03.2020**

Rishu & another ... Petitioners

Versus

State of Haryana & others ... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Both the petitioners are aggrieved of the action of the respondent/authorities in having declined their claim for promotion as TGT (Punjabi) on the ground that they 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 where under for promotion to the post of TGT (Punjabi), the requirement is for a JBT teacher to have B.A. with atleast 50% marks in Punjabi as an elective subject and two years diploma in elementary education.

Precise contention raised is that the petitioners fulfill 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 rejected their 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 petition, directions had

been issued to take a final decision on a representation and pursuant thereto, promotion orders were issued. By way of instances, counsel has referred to an order dated 05.02.2020 passed by a Coordinate Bench in **CWP-3137-2020 (Deepak Kumar Vs. State of Haryana & 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 petitioners.

Statement 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 petitioners against the backdrop of a legal notice dated 21.12.2019 (Annexure P-7) and to take a final decision thereupon expeditiously and in any case within a period of 2 months from the date of receipt of a certified copy of this order.

Disposed of.

02.03.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |