

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

**CWP-6199-2020 (O&M)
Date of Decision:05.03.2020**

Gurmeet Kaur

... Petitioner

Versus

State of Haryana & 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 her claim for promotion as TGT (Punjabi) on the ground that she 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), requirement is for a JBT teacher to have B.A. with atleast 50% marks in Punjabi as an elective subject and 2 years diploma in elementary education.

Precise contention raised is that the petitioner fulfills 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 her 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 21.12.2019 (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.

05.03.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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