

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.7477of 2020 (O&M)

Date of Decision: 27.05.2020

(Heard through VC)

Anita Rani

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

JAISHREE THAKUR, J. (ORAL)

By way of the present writ petition filed under Article 226 of the Constitution of India, petitioner is seeking a writ of mandamus directing the respondents to consider and promote the petitioner on the post of TGT Hindi w.e.f. the date of her juniors have been promoted with all consequential benefits in lieu of judgments dated 12.09.2018 (Annexure P-7 colly) and promotion order dated 30.07.2018 (Annexure P-8 colly).

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has the necessary qualification of Matric with Hindi as subject with two years Diploma in Elementary Education, B.A. with elective subject Hindi with 65% marks, B.Ed., M.A. Hindi and M.Phil Hindi and thus, she is eligible for appointment to the post of JBT Teacher and further entitled to the post of Hindi Teacher (TGT Hindi). However, despite fulfilling all the requisite qualifications, her case for promotion was not considered. The petitioner has sent a legal notice dated 16.03.2020 to the respondents for granting her promotion to the post of TGT Hindi with

effect from the date her juniors have been promoted but no action has been taken so far on the same.

Learned counsel for the petitioner also contends that petitioner would be satisfied in case her grievance is considered in the light of judgment rendered by this Court in CWP No.12143 of 2016 titled as 'Suresh Chander and others Vs. State of Haryana and others' and other connected matters decided on 12.09.2018 and CWP No.10054 of 2016 titled as 'Mahesh Kumar Vs. State of Haryana and others' and other connected matters decided on 23.04.2019.

Notice of motion.

On the asking of the Court, Ms. Shruti Jain Goyal, Addl. A.G., Haryana, who is present in Court through the medium of Video Conferencing, accepts notice for the respondent-State and submits that respondents are not making any promotion at the present moment, however, as and when such promotions are to be made, they will consider the case of petitioner in the light of judgments referred to above by the counsel for the petitioner.

I have heard learned counsel for the parties and propose to dispose of the writ petition *in limine*. The limited prayer of the petitioner is that despite the fact she fulfills all the qualifications, her case for promotion to the post of TGT Hindi has not been considered and her juniors have already been promoted. In this regard, she has already submitted a legal notice dated 16.03.2020 (Annexure P-6) but no action has been taken on the same.

In the instant case, since the State has given a very fair offer of deciding the case of the petitioners in terms of judgments rendered by this Court in CWP No.12143 of 2016 titled as 'Suresh Chander and others Vs. State of Haryana and others' and other connected matters decided on 12.09.2018 and CWP No.10054 of 2016 titled as 'Mahesh Kumar Vs. State of Haryana and others' and other connected matters decided on 23.04.2019 and the petitioner has no objection to the same, this writ petition is being disposed of by giving direction that the case of the petitioner be considered for promotion to the post of TGT Hindi Teacher in terms of judgment relied upon by the petitioners in CWP No.12143 of 2016 titled as 'Suresh Chander and others Vs. State of Haryana and others' and other connected matters decided on 12.09.2018 and CWP No.10054 of 2016 titled as 'Mahesh Kumar Vs. State of Haryana and others' and other connected matters decided on 23.04.2019 within a period of three months from the date of receipt of certified copy of this order.

(JAISHREE THAKUR)
JUDGE

May 27, 2020
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No