

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9616 of 2020 (O&M)

Date of Decision: 13.07.2020

Gurnam Singh & Ors.

... Petitioners

VS.

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. TS Dhull, Advocate for the petitioner

Mr. Sukhdeep Parmar, DAG, Haryana

GIRISH AGNIHOTRI, J. (Oral)

Petitioners have approached this Court with a grievance that despite they having opted for the districts of their choice, they have been allotted districts other than that.

Counsel for the petitioners contends that the persons lower in merit than the petitioners have been given posting in the districts of the choice of the petitioners. He contends that highlighting this aspect, petitioners have submitted their representation dated 16.03.2020 (Annexure P-7) to the Director, Elementary Education, Haryana-respondent No. 2, which has, till date, not been considered nor any decision taken. Reliance has been placed upon the directions issued by this Court in **CWP No. 31823 of 2019** titled as **Monika Kumari and others vs. State of Haryana and another**, decided on 02.11.2019 (Annexure P-4) which was followed by this Court in **CWP No. 8101 of 2020** titled as **Ramkesh vs. State of Haryana and another**, decided on 16.06.2020 (Annexure P-5) and **CWP No. 8300 of 2020** titled as **Narender Sharma and another vs. State of Haryana and another**, decided on 19.06.2020 (Annexure P-6).

Counsel contends that the petitioners, at this stage, would be satisfied if a direction is issued to the Director, Elementary Education, Haryana-respondent No. 2 to consider and decide the representation dated 16.03.2020 (Annexure P-7) submitted by them within some specified time.

Notice of motion. On the asking of the Court, Mr. Sukhdeep Parmar, DAG, Haryana, accepts notice on behalf of the respondents. Learned State counsel could not oppose the prayer made by counsel for the petitioners for decision on the above-said representation submitted by the petitioners.

In the light of the above and without commenting upon the merits of the case, the present petition is disposed of with a direction to the Director, Elementary Education, Haryana-respondent No. 2 to consider and decide the representation dated 16.03.2020 (Annexure P-7) submitted by the petitioners within a period of two months from the date of receipt of certified copy of the order by affording an opportunity of hearing to the petitioners and taking into consideration the judicial precedents, referred to above. In case of non-consideration of the claim of the petitioners within the time stipulated, cost amounting to Rs.5,000/- shall be payable to the petitioners by respondent No.2.

So ordered.

13.07.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No