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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-10100-2020
Date of decision-13.08.2020

Neeraj Sharma and others ...Petitioners

Vs.

State of Haryana and another ...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ankit Chahal, Advocate for the petitioners.

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MANOJ BAJAJ, J.

By means of this writ petition, the petitioners have invoked the writ jurisdiction of this Court for issuance of a writ in the nature of mandamus to the respondents directing them to decide the legal notice dated 01.07.2020 (Annexure P-6) whereby their claim for the place of posting of their own choice is pending. Further, it has been prayed that the respondents be directed to allocate the districts to the petitioners, as per their choice.

Learned counsel for the petitioners contends that the case of the petitioners is covered by decision dated 08.03.2019 delivered in CWP No.6244-2019 by this Court, whereby claim of a similarly situated employee was disposed off with a direction to the respondent to consider the representation which contained the same relief. He contends that the petitioners were also appointed as JBT teachers in April-June, 2017 and the order of preference/choice expressed by them in the application regarding the place of posting was ignored by the respondents while appointing them as JBT teachers, in the districts other than the preferred.

During the course of hearing, learned counsel for the petitioners does not dispute this fact that the petitioners were appointed as JBT teachers

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in April-June, 2017 and a legal notice was served by them on 01.07.2020.

After hearing learned counsel for the petitioners, this Court does not find any merit in the prayer made by the petitioners. A perusal of the order dated 08.03.2019 reveals that in the said case the appointment/posting was made 14.02.2019 and the claim by the aggrieved employee was made immediately and the writ petition was decided on 08.03.2019. On the contrary, in the present case, the legal notice allegedly has been served on 01.07.2020, i.e. after three years of the appointments.

Considering the above delay in filing the present petition, this Court does not find any reason to exercise the extra ordinary writ jurisdiction.

The petition is dismissed.

(MANOJ BAJAJ)
JUDGE

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Whether speaking/reasoned : Yes No
Whether Reportable : Yes No

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