

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
117(PROCEEDINGS THROUGH V.C.)

CWP-10146-2020

Date of decision: 10.09.2020

SATYENDER SINGH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Anurag Goyal, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In pursuance to the order dated 20.07.2020 passed by this Court, The Director, Skill Development and Industrial Department, Haryana, has passed an order dated 21.08.2020 acknowledging the fact that there has been a mistake on the part of the department in not considering the case of the petitioner for promotion. The explanation, which has been put forth, is that there was an inadvertent mistake committed in the proceedings of the Departmental Promotion Committee where it was not mentioned that the petitioner belongs to a Physically Handicapped Category (Visually Handicapped), because of which, the petitioner could not be considered for promotion to the post of Vice Principal in the Vocational Education Cadre. It has, however, been pointed out that in CWP No. 29379 of 2018 titled as Jagwant Malik and others vs. State of Haryana and others, this Court issued a direction that in the meantime, no further promotion shall be made of the employees of Vocational Education Cadre, because of

which, the petitioner, at present, cannot be promoted to the post of Vice Principal. It has further been stated that as and when the stay order passed by this Court is vacated or the decision is rendered by this Court, the case of the petitioner would be duly considered for promotion to the post of Vice Principal in Category 'B' by the Departmental Promotion Committee.

Having considered the said order, this Court is satisfied that the respondents have taken into consideration the claim of the petitioner and acknowledged their mistake. As and when the stay order passed by this Court in CWP No. 29379 of 2018 titled as Jagwant Malik and others vs. State of Haryana and others is vacated or a decision is rendered by this Court on the matter and the claim of the petitioner survives, the claim of the petitioner would be considered by the Departmental Promotion Committee of the department if he is found fit for promotion. The consequential benefits, which would have otherwise accrued to the petitioner, had his claim been considered along with the batch of other candidates who were considered and promoted vide order dated 15.10.2018 (Annexure P-6), be released to him.

The said exercise be carried out by the respondents within a period of four weeks from the date of vacation of the stay order or the decision of the writ petition, whichever is earlier.

The writ petition stands disposed of with above observations/directions.

September 10, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No