

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

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(PROCEEDINGS THROUGH V.C.)

CIVIL WRIT PETITION NO.12932 OF 2020

DATE OF DECISION: AUGUST 27, 2020

Rajender Kumar Ahooja

.....Petitioner

VERSUS

State of Haryana and another

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Sameer Sachdeva, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that the persons who were junior to the petitioner from the date of their initial appointment on adhoc basis and thereafter regularization have been granted the benefit of promotion to the posts of Principal, Government Colleges in Haryana only on the ground that they were petitioners before this Court as well as Hon'ble Supreme Court, and they were granted seniority from the initial date of adhoc appointment. However, similar benefit, which the petitioner has been claiming and entitled to, has not been granted to him despite he having served a notice through counsel dated 09.06.2020 (Annexure P-7). The only reason appears to be that the petitioner was not party to the writ petition, which was filed before this Court and has been finalized upto Hon'ble Supreme Court. He further states that as the petitioner is similarly placed and, therefore, is entitled to the same benefit,

especially when persons, who had been appointed subsequent to him on adhoc basis, have been granted the benefit of adhoc service towards seniority and have accordingly been given benefit of promotion. He, thus, contends that action of the respondents in not even considering the claim of the petitioner is not sustainable.

Notice of motion.

On the asking of the Court, Ms.Kirti Singh, Deputy Advocate General, Haryana, accepts notice on behalf of the State.

In the light of the submissions made by counsel for the petitioner and keeping in view the fact that a detailed legal notice dated 09.06.2020 (Annexure P-7) has been duly served by the petitioner referring therein various judgments, which have been passed by this Court and Hon'ble Supreme Court relating to similarly situated persons as the present petitioner, the present writ petition is disposed of with a direction to the Additional Chief Secretary to Government of Haryana, Department of Higher Education, Haryana, Chandigarh and the Director General of Higher Education, Haryana, Panchkula, respondent Nos.1 and 2 respectively to consider and decide the legal notice dated 09.06.2020 (Annexure P-7) within a period of four weeks from today by passing a speaking order. Decision so taken be conveyed to the petitioner forthwith.

In case the petitioner is found to be entitled to the benefits, the same be granted to him within a further period of four weeks.

August 27, 2020
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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