

CWP No.13686 of 2020

Date of Decision : 07.09.2020

Jaibir and another

...Petitioners

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Sandeep Goyat, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of a writ in the nature of Certiorari, for quashing the impugned promotion order (Annexure P-7) dated 24.08.2019 vide which TGTs and C&Vs Teachers have been promoted to the posts of Elementary School Head Master in HES-III (School Cadre) in derogation of the seniority list (Annexure P-8) dated 01.01.2017 and juniors to the petitioners have been promoted despite names of the petitioners finding mention in the seniority list (Annexure P-8) dated 01.01.2017 at Serial No.1969 and 1026 respectively and despite the petitioners fulfilling all the conditions for promotion.

3. Learned counsel for the petitioners states that the petitioners have submitted representation to the respondents against the denial of promotion to the post of Elementary School Head Master in HES-III (School Cadre) despite the petitioners fulfilling all conditions for promotion and against promotion of juniors i.e. Annexures P-14 & P-15, dated

24.09.2019 and 06.01.2020, respectively but the same have not been decided till date and that in the circumstances, the petitioners would be satisfied, if the writ petition is disposed of by directing respondent No.2 to consider and decide representations (Annexures P-14 & P-15) dated 24.09.2019 and 06.01.2020, respectively, in accordance with law, in a time bound manner.

4. Notice of motion to respondent No.2 only.

5. Mr. Vivek Chauhan, Addl. A.G., Haryana, accepts notice and states that he has no objection to the limited prayer made by learned counsel for the petitioners.

6. According, in the light of the statements of learned counsel for the parties and without commenting upon the merits of the controversy or the entitlement of the petitioners to the relief claimed, the writ petition is ***disposed of*** by directing respondent No.2 to consider and decide the representations (Annexures P-14 & P-15) dated 24.09.2019 and 06.01.2020, respectively, in accordance with law, after taking into account all aspects of the matter as expeditiously as possible, preferably within a period of 02 months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

September 07, 2020

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>