

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

**CWP No.11989 of 2016 (O&M)
Date of Decision: 06.02.2020**

Prem Kumar

.....Petitioner

Vs.

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. J.L. Goyal, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

RITU BAHRI, J. (ORAL)

CM No.18220-CWP of 2019

Dismissed as having been rendered infructuous.

CM No.18223-CWP of 2019

Copy of judgment dated 27.08.2019 (Annexure P-8) is taken on
record.

Misc. application stands disposed of accordingly.

CWP No.11989 of 2016 (O&M)

Petitioner is seeking quashing of the action of respondent No.2,
vide which, he has not been promoted to the post of PGT (Hindi) on the
ground that he is not TGT (Hindi) and has not got two years' experience of
teaching Hindi. Petitioner is further seeking direction to respondent No.2 to
promote him to the post of PGT (Hindi) w.e.f. 06.05.2016, i.e. the date when
Trained Graduate Teachers, junior to him, have been promoted.

Similarly, situated employees, who were working as TGT (Sanskrit), had approached this Court by filing CWP No.13592 of 2018, titled as **Archana and others vs. State of Haryana and others**, decided on 27.08.2019 (Annexure P-8), whereby they were seeking promotion to the post of PGT (Hindi). Petitioners, in that case, had placed on record a certificate dated 25.12.2017 (Annexure P-12 therein) certifying that petitioner-Archana Devi was appointed as Sanskrit Teacher on 07.08.2017 and as per rules, Sanskrit teacher had to teach Hindi when the post of Hindi teacher remains vacant. Keeping in view the certificate (Annexure P-12), the Court had observed that it was incomprehensible that the Sanskrit teachers would be incapable of teaching Hindi. Ultimately, the writ petition was allowed.

In the facts of the present case, petitioner-Prem Kumar has annexed his experience certificate as Annexure P-2 (Colly). First certificate has been issued by the Headmaster, Govt. High School, Data Singh Wala (Jind), certifying that petitioner (Prem Kumar) had been teaching in that school from 04.05.2000 to 01.07.2003 and during that period, he had taught Hindi and Sanskrit to Classes VI to VIII. Along with this certificate, he has also annexed copy of results for the Sessions 2000-01, 2001-02 and 2002-03 pertaining to Government Middle School, Data Singh Wala, in order to show that after teaching Hindi by the petitioner, pass percentage of the students was very high. There is another certificate dated 30.05.2015 issued by the Headmaster, Government Middle School, Ismailpur (Jind), a perusal of which, shows that the petitioner had been teaching Sanskrit and Hindi subjects w.e.f. 20.11.2013 and pass percentage of the students was high i.e. 100%.

The above certificates (Annexure P-2) are not being disputed by the respondents in their written statement.

The present case is squarely covered by the judgment passed by this Court in Archana's case (supra). In view of the said fact, this petition is allowed in the same terms as in Archana's case (supra) (Annexure P-8) along with all consequential benefits. Order, in this regard, be passed within a period of three months from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

06.02.2020
ajp

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