

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23414 of 2015 (O&M)
Date of Decision: 06.02.2020

Niranjan Kumar

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Surajmal Kundu, Advocate,
for the petitioner.

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

RITU BAHRI, J. (ORAL)

Petitioner is seeking quashing of the action of respondents, 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 experience of two years of teaching Hindi. Petitioner is further seeking direction to the respondents to promote him to the post of PGT (Hindi).

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, whereby they were seeking promotion to the post of PGT (Hindi). Petitioner(s), 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-Niranjan Kumar is relying upon his experience certificate dated 17.07.2015 (Annexure P-7), which was issued by the Elementary School Headmaster, Govt. Middle School, Ramgarh (Sirsa), certifying that petitioner (Niranjan Kumar) had been teaching Hindi from 2006 till 17.07.2015 (i.e. the date when the said certificate was issued) upto date according to Education Department Rules. He was promoted to the post of TGT (Sanskrit) vide order dated 13.10.2006 and he joined as such at Govt. Middle School, Ramgarh, District Sirsa on 20.10.2006. Keeping in view the certificate dated 17.07.2015 (Annexure P-7), he has the experience of teaching Sanskrit as well as Hindi from 2006 till 2015 i.e. for almost 09 years.

The above certificate dated 17.07.2015 (Annexure P-7) is 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) along with all consequential benefits. Order, in this regard, shall 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