

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25411 of 2016
Date of decision 24.02.2020

Arun Kumar

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manoj Chahal, Advocate,
for the petitioners.

Mr. Harish Nain, AAG, Haryana.

Ritu Bahri, J.

Petitioner is seeking quashing of the show cause notice dated 25.11.2016 (Annexure P-2) proposing reversion of the petitioner to the post of Peon for non passing of SETC examination.

Petitioner is seeking the benefit of order dated 27.02.2009, whereby exemption from passing of type test was granted to similarly situated employees. Learned counsel for the petitioners has referred to the judgment dated 15.01.2014 passed by this Court in **Jai Kanwar vs. State of Haryana and others**, CWP No.21630 of 2010 (Annexure P-5), wherein it has held that in the absence of any statutory rules, such type of condition cannot be imposed in the promotion order.

Upon notice, written statement on behalf of respondent Nos.1 & 2 has been filed. Learned State counsel has informed that Division Bench of this Court in **Nissar Ahmed vs. State of Haryana and another**, CWP No.18143 of 2018 (decided on 08.05.2019) has held that imposing of

Application (SETC) test is not contrary to the rules.

In view of the said decision given by the Division Bench of this Court, no further orders are required to be passed in this petition.

Disposed of accordingly.

24.02.2020
ajp

(RITU BAHRI)
JUDGE

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