

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.948 of 2016 (O&M)

Date of Decision: 06.02.2020

Raja Ram and others
Vs.

.....Petitioners

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)

Petitioners are seeking quashing of the action of respondents, vide which, they have not been promoted to the post of PGT (Hindi) on the ground that they are not TGT (Hindi) and have not got experience of two years of teaching Hindi. Petitioners are further seeking direction to the respondents to promote them 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

Upon notice, written statement on behalf of respondents has been filed, wherein it has been admitted that petitioners have been teaching Hindi to the students of Classes 6 to 8. Para No.9 of the written statement is being reproduced as under:-

“9. That the contents of para No.9 of the Civil Writ Petition are admitted to the extent that the petitioners were being taught 6th to 8th Classes of Hindi subject, but they were appointed by way of promotion against the Sanskrit posts. Thus, merely by saying that they taught some classes in Hindi subject on the directions of DDO could not make them entitle to get experience certificates as Hindi Teacher. Since their original appointments were of Sanskrit teacher, thus, only the teaching experience of Sanskrit teacher could have been issued to them.”

A perusal of the above reply shows that the respondents have admitted that the petitioners have been teaching Hindi to classes 6 to 8 on the directions of DDO. However, their stand is that since, the petitioners did not have two years' of experience, they are not eligible for promotion to the post of PGT (Hindi).

Since, the issue is only with regard to the fact, whether the petitioners have two years of experience, a direction is given to the respondents to get details of the time (period) when petitioners have taught Hindi to the students of Classes 6 to Class 8 and then consider the cases of petitioners for promotion as per the judgment passed in Archana's case (supra). This exercise be completed within three months.

Disposed of in the same terms as in Archana's case (supra) along with all consequential benefits.

(RITU BAHRI)
JUDGE

06.02.2020

ajp

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No