

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

115

**CWP No.1589 of 2021
Decided on :22.01.2021**

Kirti and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Ms.Nisha, Advocate for
Mr. Vikram Sheoran, Advocate for the petitioners.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioners in the present writ petition filed under Articles 226/227 of the Constitution of India seek directions for issuance of a writ in the nature of mandamus directing the respondents to fix their seniority in terms of the merit list published by the respondents and grant them benefits of notional pay fixation. All other consequential benefits from the date of joining of the first set of candidates who were lower in the merit to the petitioners, in view of the judgment dated 26.03.2019 passed in **CWP No.10534 of 2017 'Kiran Bala and others Vs. State of Haryana and others'** and other connected cases (Annexure P-6), is also prayed for.

Counsel submits that the petitioners had applied for the post of Primary Teachers and directions had been issued that physical verification be re-conducted by this Court. Thereafter, in the case of **Kiran Bala (supra)** directions were issued that seniority of the appointed candidates would relate back to their inter se merit positions as determined by the Haryana Staff Selection Commission, however, monetary benefits will remain notional. The benefit was granted by respondent No.2, vide order dated 24.06.2019 (Annexure P-7) by directing that proceedings be initiated regarding the seniority of the said petitioners and for compliance of the said order. Counsel further submits that representation dated 20.08.2020 (Annexure P-5) has also been moved, praying for same relief.

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana, accepts notice on behalf of the respondents.

Keeping in view the fact that limited relief is sought and since the decision making is incomplete, this Court is of the considered opinion that it is not necessary to call upon the respondents for filing reply, as it would delay the proceedings.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioners, the present writ petition is disposed off with the direction to the respondents/competent authority to decide the representation of the petitioner dated 20.08.2020 (Annexure P-5) within a period of three months from the date of receipt of the certified copy of this order.

Disposed off.

(G.S. SANDHAWALIA)
JUDGE

JANUARY 22, 2021
Naveen

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No