

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

**CWP-3972-2021 (O&M)
Date of Decision: 19.02.2021**

Wazir Singh & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Parth Goyal, Advocate for the Petitioners.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioners seek a writ in the nature of mandamus for directing the respondents to promote them to the post of TGT (English) w.e.f. 17.07.2018 i.e. the date their juniors have been so promoted.

Counsel contends that all the petitioners possess the necessary qualifications in terms of the Haryana School Education (Group 'C') State Cadre Service Rules, 2012. Petitioners have been denied consideration for promotion to the post of TGT (English) only on the ground that they have not taken English subject in the B.Ed. and as such, are not eligible for promotion. It is urged that the respondent/authorities are misreading the Rule and not appreciating the factual premise as regards the petitioners possessing the essential qualifications required for promotion.

Counsel has adverted to a judgment dated 28.08.2020 passed by a Coordinate Bench in **CWP-12945-2020 (Deepak Malik & others Vs.**

State of Haryana & others) wherein a similar claim has already been allowed.

At this stage, counsel submit that he would be satisfied if the writ petition were to be disposed of with a direction to the concerned authority to examine the claim in the light of a legal notice that has already been served.

Submission is found to be just and reasonable.

Without even commenting on the merits of the claim, the instant writ petition is disposed of with a direction to respondent No.2/competent authority to examine the claim of the petitioners against the backdrop of a legal notice dated 29.12.2020 (Annexure P-12) and to take a final decision thereupon expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order.

Disposed of.

19.02.2021

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |