

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

CWP-7123-2021

Date of Decision: 20.04.2021

Surinder Singh and another

...Petitioners

V/S

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Madhav Pokhrel, Advocate,
For the petitioners.

Ms. Akshita Chauhan, AAG, Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Grievance of the petitioners herein is that respondent No.3, allegedly a junior to them has been given the benefit of promotion and appointed on the post of Principal vide order dated 27.02.2017, whereas the petitioners have not been given the same benefit.

2. Learned counsel for the petitioners submits that both the petitioners were in service as on 27.02.2017 i.e. the day when their junior was promoted. They later retired as Lecturer in Commerce on attaining the age of superannuation. He submits that as per Rule 5 of Punjab Educational Service (School and Inspection) Group-A Service Rules, 2004 the promotion to the post of Principal was to be made on the basis of seniority-cum-merit. In the premise, petitioners caused issuance of a legal notice dated 08.11.2019 (Annexures P-11 and P-12) but to no avail. Hence, the instant petition.

3. Learned counsel for the petitioners submits that he would be satisfied, at this stage, if a final decision, either way, is taken by the respondents on the pending legal notice dated 08.11.2019 (Annexures P-11 and P-12).

4. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

5. Without commenting on the merits of the case, the writ petition is disposed of with liberty to the petitioners to pursue their pending legal notice dated 08.11.2019 (Annexures P-11 and P-12) with the competent authority, who shall look into the same and pass a speaking order, in accordance with law, as expeditiously as possible.

6. Disposed of accordingly.

(ARUN MONGA)
JUDGE

April 20, 2021
vandana

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No