

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No. 7606 of 2021

Date of Decision: 06.04.2021

Satinderjit Kaur

....Petitioner

VERSUS

The State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Aruna Sachdeva, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The prayer in the present writ petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondent-Department to promote the petitioner as Head Teacher from Primary School Teacher, from the date her juniors were promoted with consequential benefits.

Learned counsel for the petitioner would contend that the petitioner is serving as Elementary Teacher in Government Elementary School, Mahadian, Block Fatehgarh Sahib, District Fatehgarh Sahib and all her juniors have been promoted as Head Teachers and though the petitioner is much ahead in seniority, her case for promotion has not been considered. In this regard a legal notice dated 12.12.2020 (Annexure P-8) was also sent to the respondents, however, no action/decision has been taken on the same. Learned counsel for the petitioner limits his prayer in the present petition and states that she would be satisfied if a direction is issued to respondent

no.3 - District Education Officer (Elementary Education), Fatehgarh Sahib -
to take a decision on the legal notice dated 12.12.2020 (Annexure P-8).

Notice of motion.

On the asking of the Court, Ms. Kanica Sachdeva, AAG,
Punjab, who has joined the session through video conferencing, accepts
notice on behalf of respondent nos.1 to 3.

Since the case is not being decided on merits, the issuance of
notices to the private respondent nos.4 and 5 is dispensed with.

I have heard the learned counsel for the parties.

In view of the limited prayer made by learned counsel for the
petitioner and without commenting on the merits of the case or on the
entitlement of the petitioner, the present writ petition is disposed off with a
direction to respondent no.3 - District Education Officer (Elementary
Education), Fatehgarh Sahib - to take a decision on the legal notice dated
12.12.2020 (Annexure P-8), in accordance with law, as expeditiously as
possible and in any case within a period of three months from the date of
receipt of certified copy of this order.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

6th April, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO