

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

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**Civil Writ Petition No.12236 of 2021 (O&M)
Date of Decision: July 09, 2021**

Satish Kumar and another

.....Petitioners.

VERSUS

State of Haryana and others

.....Respondents.

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

Present: Mr. A.S. Tewatia, Advocate
for the petitioners.

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

G.S. SANDHAWALIA, J.(Oral)

By filing the present Civil Writ Petition under Articles 226/227 of the Constitution of India, the prayer is for issuance of a writ in the nature of mandamus directing respondent No.2 to decide the promotion issue for the post of Headmaster, High School from the post of Elementary School Headmasters. Further direction to respondent No.2 to allow the petitioners to participate in the online teachers transfer policy dated 25.06.2021 (Annexure P-2) is sought.

It is the case of the petitioners that respondent No.4 had forwarded the promotion cases of petitioners on 13.07.2020 vide a communication dated 06.04.2021 (Annexure P-1). It was further mentioned in the document that no name of any of the teacher of this case has come in the list of promotion of this District. It also enclosed the list of the persons

including the petitioners, who are stated to be eligible for the said purpose.

Counsel for the petitioners submits that he does not wish to press the second prayer with regard to participate in the online teachers transfer policy.

Notice of motion.

Mr. Harish Rathee, D.A.G. Haryana accepts notice on behalf of respondents.

Keeping in view the limited prayer made by counsel for the petitioners regarding promotion of the petitioners on the basis of communication dated 06.04.2021 (Annexure P-1), this Court is of the considered opinion that there is no requirement for receiving reply on behalf of respondents, which will only cause delay in decision making process.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioners to be considered for the said claim, directions are issued to respondent No.2 to take action on the communication dated 06.04.2021 within a period of six weeks on receipt on certified copy of this order. In case, it is found that the petitioners are not entitled for the said claim, it will be open to the respondents to pass a speaking order and convey the same to the petitioners.

July 09, 2021

Sachin M.

**(G. S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*