

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

125

**CWP No. 16937 of 2021
Decided on :01.09.2021**

Shamsher Singh

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Raman Chawla, Advocate,
for the petitioner.

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

G.S. Sandhawalia, J. (Oral)

The petitioner seeks quashing of the impugned promotion list/order dated 15.03.2021/06.04.2021 (Annexure P-12) and order dated 12.08.2021 (Annexure P-17) passed by respondents no. 1 and 2, vide which, the junior teachers to the petitioner have been promoted as High School Headmasters from Elementary School Headmasters/TGTs without considering the seniority list prepared by the respondents as the name of the petitioner had been reflected in the seniority list above respondents no. 8 to 10 and other juniors. Despite that respondent nos. 8 to 10 have been promoted.

The grouse of the petitioner is, thus, on account of the fact that the juniors have made the grade and his name has not figured in the promotion list. It is his case that he has also submitted a representation dated 13.08.2021 (Annexure P-18) to respondent no. 1.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of respondents no. 1 to 5.

A perusal of the paper book would go on to show that the petitioner was initially appointed as Science Master vide appointment letter dated 19.03.1993 (Annexure P-1) whereas, respondents no. 8 to 10 have been appointed subsequently on 19.08.1993 and 15.01.1994 and 14.02.1994 (Annexures P-2 to P-4). It is the case of the petitioner that in the seniority list of 2013, he had been shown as junior and on account of the representation, as per the new tentative seniority list issued on 19.10.2016 (Annexure P-8), the position had been rectified but the date of appointment was wrongly mentioned. It is submitted that as per the list dated 15.03.2021 (Annexure P-12), his name has not been shown.

Keeping in view the above, this Court is of the opinion that there is no requirement to call upon the respondents to file reply.

Accordingly, without commenting upon the merits of the case, this Court is of the considered opinion that the matter needs to be considered by the competent authority to decide the issue within a period of 3 months from the date of receipt of certified copy of the order not only by taking into consideration the representation (Annexure P-18) but also treating the present writ petition as a representation. The petition stands disposed of accordingly. In case it is so required, the petitioner may be given a personal hearing in order to clarify the said situation.

01.09.2021
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No