

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

Sr. No.107

CWP No.21920 of 2020

DATE OF DECISION: January 25, 2021

BIRPAL

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.K. Malik, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner is working as a JBT. His services were governed by the 1998 Rules which were replaced by the Haryana School Education (Group C) State Cadre Service Rules, 2012. On 27.04.2018 applications were sought for promotion to the post of Sanskrit Teacher whereafter, the petitioner applied. However, his application has been rejected on the ground that he did not possess the qualification of B.Ed. with Sanskrit and HTET.

2. Thereafter, a legal notice dated 16.07.2020 (Annexure P-7) was issued stating that there was no requirement of B.Ed. with Sanskrit or qualifying the HTET as has been laid down by the High Court. Thus, the order rejecting the promotion of the petitioner is illegal. Yet, no relief has been granted to the petitioner.

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3. Learned counsel for the petitioner at this stage he would be satisfied in case a direction is issued for decision of the legal notice aforementioned.
4. Notice of motion.
5. Mr. Sanjay Mittal, Addl. A.G., Haryana, accepts notice on behalf of the respondents and waives service.
6. Considering the nature of the order being passed there is no necessity to seek a reply from the respondents.
7. The petition is disposed of with a direction to respondent No.2 to decide pending legal notice dated 16.07.2020 (Annexure P-7) in accordance with rules and law on the subject and by passing a speaking order within 08 weeks from the date of receipt of a certified copy of this order.

January 25, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No