IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.25208 of 2021 (O&M)
Date of Decision:13.12.2021

Rajesh Kumar

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. J.L.Goyal, Advocate
for the petitioner.

Mr. Randhir Singh, Addl.AG., Haryana.

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LISA GILL, J(Oral).

Petitioner is aggrieved of the action of the respondents in not considering him for promotion to the post of PGT Mathematics w.e.f., 26.04.2016 i.e., the date his juniors were promoted, with all consequential benefits i.e., arrear of pay, seniority, interest etc.

It is submitted that the petitioner, who is working as Math Master, is fully qualified and eligible for promotion to the post of PGT Mathematics. Learned counsel submits that in-fact persons junior to the petitioners have been promoted while wrongly ignoring the petitioner. Reference is made to orders attached as Annexure P-3 and P-4. It is submitted that the petitioner has been ignored only on the ground that he has secured his Masters degree in Mathematics from a deemed university i.e., Institute of Advance Studies in Education University, Gandhi Vidya Mandir, Sardarshahr, Rajasthan. It is submitted that the matter is now settled as per decision of this High Court in **Gurmail Kaur and others Vs. State of Haryana and another, 2015(4) S.C.T 271** and upheld by a Division Bench

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of this High Court in **State of Haryana and another Vs. Gurmail Kaur and others, LPA No. 171 of 2021, decided on 22.03.2021**. In this respect petitioner, it is stated, submitted legal notice dated 13.10.2021, but to no avail.

Notice of motion.

Mr. Randhir Singh, Addl.AG., Haryana, accepts notice on behalf of the respondent-State. Advance copy of writ petition stand supplied.

At this stage, learned counsel for the petitioner restricts the prayer for a decision of legal notice dated 13.10.2021, Annexure P-12 served by the petitioner, in a time bound manner.

Learned counsel for the respondent-State does not raise any serious objection to the restricted prayer.

Keeping in view the limited prayer addressed, facts and circumstances of the case but without expressing any opinion on the merits of the case, this writ petition is disposed of with a direction to the competent authority, to decide legal notice dated 13.10.2021, Annexure P-12, filed by the petitioner by passing a speaking order, within three months from the date of receipt of certified copy of this order.

[LISA GILL]
Judge

13.12.2021
s.khan

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.

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