

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(105+255)

CM No.16719 and 16720-CWP of 2022 in/and
CWP No.2200 of 2022 (O&M)
Date of Decision : 21.11.2022

Shakti Dhar Sharma and others Petitioners

Versus

State of Haryana and another

 Respondents

CWP No.3134 of 2022 (O&M)

Sukhbir Singh and others Petitioners

Versus

State of Haryana and another

 Respondents

CWP No.4224 of 2022 (O&M)

Vipin Kumar and others Petitioners

Versus

State of Haryana and others

 Respondents

CWP No.1718 of 2022 (O&M)

Raj Bala and others Petitioners

Versus

State of Haryana and another

 Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Kanwal Goyal, Advocate with
Mr. Paramjit Singh, Advocate
for the petitioners (in CWP Nos.2200, 4224 and
1718 of 2022)

Mr. R.S.Dhull, Advocate
for the petitioners (in CWP No.3134 of 2022)

Mr. R.S.Budhwar, Additional Advocate General,
Haryana.

Mr. Anil Kumar Sharma, Advocate
for applicants in CM Nos.16719 and 16720 of 2022

Harsimran Singh Sethi, J. (Oral)

By this common order, the writ petitions, details of which have been given above, are being disposed of as all the writ petitions involve the same question of law on similar facts.

Learned counsel for the petitioners very fairly submits that though a show cause notice has been issued with regard to the reversion from the post of Elementary School Headmaster to that of Sanskrit Teacher but as of now no action has been taken.

Learned counsel for the petitioners submits that only apprehension of the petitioners is that the respondents might not appreciate all the reasons which the petitioners have so as to justify their promotion to the post of Elementary School Headmaster including the fact, which is being raised here that there are certain seniors, who are ineligible to hold the post of Elementary School Headmaster.

Learned counsel for the respondents submits that the said

arguments only bring out apprehension and not the fact. Whatever justification the petitioners will raise qua the show cause notice, the same will be considered in accordance with law coupled with the Rules governing the service and then appropriate order on the show cause notice issued to the petitioners, will be passed.

Learned counsel for the petitioners submits that keeping in view the said statement of the counsel for the respondents, the petition be disposed of as having been not pressed any further with liberty to the petitioners to file appropriate reply to the show cause notice, which has been issued to the petitioners proposing the reversion to the post of Sanskrit Teacher.

Ordered accordingly.

The State counsel is requested to consider all the justifications which the petitioners raise in their reply to the show cause notice and also the fact that the promotion to the post of Elementary School Headmaster is in litigation since long and a correct order can end the said litigation once for all.

Learned counsel for the petitioners also seeks liberty to challenge the seniority list. The said right is an independent right and in case the petitioners are aggrieved against any seniority list, they can avail appropriate remedy available to them in accordance with law.

A photocopy of this judgment be placed on the file of another connected cases.

CM Nos.16719 and 16720 of 2022

As the main case has been disposed of, counsel for the applicants does not press the applications and the same are ordered to be

disposed of as having been not pressed.

CM No.10317-CWP and 10327-CWP of 2022

Applications are disposed of.

November 21, 2022
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?

Yes

Whether reportable?

No