

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

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CWP-3064-2022

Date of decision : 26.07.2022

HAWA SINGH

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that the petitioner was stated ineligible for promotion from the post of TGT English on the ground that the petitioner did not have English as a teaching subject in B.Ed. and hence, is not eligible for promotion as TGT. Learned counsel submits that the qualification for appointment to the said post are governed by the rules titled as Haryana School Education (Group C) State Cadre Service Rules, 2012. Learned counsel submits that as per appendix-B, wherein the qualification for appointment to the post of TGT English has been given, in respect of promotion to the said post, a candidate having graduation with 50% marks in English as an elective subject along with two years diploma in elementary education is eligible. Learned counsel submits that the petitioner has the said qualification but, this claim has been declined on the ground that in the B.Ed examination, the petitioner did not have English as a teaching subject. Learned counsel submits that once B.Ed is not necessary

qualification for promotion, keeping in view the qualification of the petitioner, and the qualification prescribed for promotion, the ground given by the respondents declining the benefit of promotion to the post of TGT English is contrary to the rules.

Learned counsel for the petitioner further argues that the claim as being raised in the present petition has already been raised by the petitioner with the respondents vide legal notice dated 16.12.2021 (Annexure P-8) and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of respondents-State and raises no objection in deciding the legal notice dated 16.12.2021 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner on 16.12.2021 (Annexure P-8), respondent No.2 is directed to decide the legal notice dated 16.12.2021 (Annexure P-8) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

26.07.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No