

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

124

CWP-5040-2022

Date of decision : 26.07.2022

ASHOK KUMAR AND OTHERS

..... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Jawahar Lal Goyal, Advocate for the petitioners.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioners argues that the petitioners were stated to be ineligible for promotion to the post of TGT English on the ground that the petitioners did not have English as a teaching subject in B.Ed. hence, they are 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 petitioners have the said qualification but, their claim for promotion has been declined on the ground that in the B.Ed examination, the petitioners did not have English as a teaching subject.

Learned counsel further argues that once B.Ed is not

necessary qualification for promotion, keeping in view the qualification of the petitioners, and the qualification prescribed for the grant of 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 petitioners further submits that the claim as being raised in the present petition has already been raised by the petitioners with the respondents vide representation dated 30.12.2021 (Annexure P-15) and the petitioners 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 representation dated 30.12.2021 (Annexure P-15) 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 petitioners on 30.12.2021 (Annexure P-15), respondent No.2 is directed to decide the representation dated 30.12.2021 (Annexure P-15) 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

rimpal

Whether speaking/reasoned
Whether Reportable :

Yes
No