

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(131)

CWP-16152-2022

Date of Decision : July 27, 2022

Navin Kumar

.. 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.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner was stated to be ineligible for promotion from the post of TGT Sanskrit on the ground that the petitioner did not have Sanskrit as a teaching subject in B.Ed. hence, he 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 Sanskrit has been given, in respect of promotion to the said post, a candidate having graduation with 50% marks in Sanskrit as an elective subject along with two years diploma in elementary education, is eligible to be promoted. Learned counsel submits that the petitioner has the said qualification but, his claim for promotion has been declined on the ground that in the B.Ed examination, the petitioner did not have Sanskrit 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 petitioner, 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 Sanskrit is contrary to the rules.

Learned counsel for the petitioner further submits that the claim as being raised in the present petition has already been raised by the petitioner with the respondents vide legal notice dated 16.06.2022 (Annexure P-6) and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the said legal notice in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondents-State and raises no objection in deciding the legal notice dated 16.06.2022 (Annexure P-6) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 16.06.2022 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 16.06.2022 (Annexure P-6) within a period of eight weeks from the receipt of copy of this order.

July 27, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No