

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

CWP-20857-2017

Date of decision: March 04, 2022

Ministerial Staff Association

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jasbir Mor, Advocate and
Mr. Govind Mor, Advocate for the petitioner.

Mr. Sharan Sethi, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Writ petition herein *inter alia* is for seeking appropriate writ in the nature of Mandamus directing the respondents to first frame the Service Rules for the employees and thereafter, take up the process of filling up the vacant posts of Assistants by way of promotion in the office of the Director of Secondary Education, Haryana.

2. At the time of issuing notice of motion, my learned brother G.S. Sandhawalia, J. who was seized of the matter at that time, passed the following order dated 14.09.2017:

“Inter alia contends that the petitioners are working as contractual employees with the respondent-Department. The proposal to fill up 21 posts of Assistants (Headquarters) vide advertisement dated 17.03.2016 (Category No.26) (Annexure P-1) is stated to be not justifiable on account of the non-framing of the Service Rules after the bifurcation of the Education Department to the Directorate of Higher Education and Directorate of School Education. Reference is made to the meeting held on 04.08.2003 and the decision taken (page 18 of the paperbook).

Notice of motion.

Ms.Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Adequate number of copies of the paper-book be supplied to her during the course of the day.

List on 12.12.2017.

Any appointment made shall be subject to final outcome of the present writ petition.”

3. *Apropos* above order, learned State counsel submits that Service Rules have now been framed and the same are pending final approval of the competent authority.

4. In view of the aforesaid, writ petition is disposed of with the expectation that the expeditious steps will be taken by the respondents to get the administrative approval *qua* the pending Rules and notify the same and thereafter, proceed for selection/promotion on the post of Assistants in accordance with the same.

(ARUN MONGA)
JUDGE

March 04, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No