

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

215

CWP-2058-2018

Date of Decision :09.11.2022

Ritu Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arun Rana, Advocate and
Mr. Suresh Kumar Kaushik, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G. Haryana.

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Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that the petitioner is entitled for promotion to the post of S.S. Mistress from the date, the respondents No.4 and 5 were promoted on the ground that the petitioner is senior to respondents No.4 and 5.

After notice of motion, the respondents have filed reply wherein, it has been stated that keeping in view the essential qualification required for promotion to the post of S.S. Master/Mistress, the petitioner did not fulfil the said qualification on the date when the juniors of the petitioner i.e respondents No.4 and 5 were promoted hence, no grievance can be raised by the petitioner in this regard.

Learned counsel for the petitioner submits that the present writ petition has been filed in the year 2018 and at the said time, the petitioner

did not knew the complete details of the other juniors, who have been promoted but now the petitioner has sought the information under the Right to Information Act, 2005 as per which the juniors have been promoted to the post of S.S. Mistress/Master, who also did not have the requisite qualification so as to sustain the claim for promotion to the post of S.S. Mistress

I have heard learned counsel for the parties and have gone through the record with their able assistance.

From the pleadings which have already come on record, the claim of the petitioner for promotion to the post of S.S. Mistress/Master with effect from the date the respondents No.4 and 5 were promoted is not sustainable as nothing has been shown to this Court that the petitioner was eligible given the qualification required on the date when the respondents No.4 and 5 were promoted.

Learned counsel for the petitioner argues that while granting promotion to respondents No.4 and 5 certain other persons, who were junior to the petitioner and also did not have requisite qualification, were promoted by granting benefit of relaxation, which benefit has not been extended to the petitioner.

Learned counsel for the respondents submits that in the present writ petition, no record of any such persons has been produced, which according to the petitioner were junior to her and have been promoted in preference to the petitioner and in case any such record is submitted by the petitioner before the authorities concerned raising the claim that similarly situated employees as the petitioner have been promoted, the same will be considered in accordance with law and an appropriate order will be passed

within a period of 08 weeks from the date of raising any such grievance.

Learned counsel for the petitioner submits that keeping in view statement made by the learned State counsel, the present writ petition may kindly be disposed off having been not pressed any further with liberty to the petitioner to approach the respondents by raising appropriate pleas.

Ordered accordingly.

November 09, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No