

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

CWP-8110-2015 (O&M)

Date of decision : April 07, 2022

Ashwani Kumar and another

.....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Lajpat Rai Sharma, Advocate for
Mr. T.P.S. Teji, Advocate for the petitioners.

Mr. Harish Nain, AAG, Haryana.

LISA GILL, J.

Prayer, in this writ petition, is for directing the respondents to promote the petitioners to the post of Elementary Head/Middle Head master from the date when their alleged juniors were promoted on the said post with all consequential benefits.

As per affidavit dated 16.12.2020 filed on behalf of respondents No. 1 and 2, it is stated that, petitioner No. 2 stands promoted vide order dated 24.08.2019, therefore, writ petition is infructuous qua petitioner No. 2.

As far as petitioner No. 1 is concerned, he does not possess requisite qualification for promotion to the post of Elementary School Head Master. Eligibility/qualification as per Haryana School Education (Group-c) Service Rules, 2012 are reproduced as under:-

Sr. No.	Designation of Posts	Academic qualifications and experience, if any, for direct recruitment on contract basis	Academic qualification and experience, if any, for appointment other than by direct recruitment on contract basis
1	2	3	4
1.	Elementary School Head Master		By promotion:- (i) B.A./B.Sc. and 2-year Diploma in Elementary Education; OR B.A./B.Sc. with at least 50% marks and 1-year Bachelor in Education (B.Ed.), OR B.A./B.Sc. with at least 45% marks and 1-year Bachelor in Education (B.Ed), in accordance with the NCTE (Recognition Norms and Procedure) Regulations issued from time to time in this regard; OR Senior Secondary (or its equivalent) with at least 50% marks and 4 year Bachelor in Elementary Education (B.El.Ed.) OR Senior Secondary (or its equivalent) with at least 50% marks and 4 year B.A. Ed. OR B.A./B.Sc. with at least 50% marks and 1-year B.Ed.(Special Education) (ii) 5 years experience in regular capacity as Hindi/Sanskrit/Punjabi Teacher/TGT, (ii) Atleast 3 weeks in-service training in administrative and accounts module.

Petitioner No. 1 is stated to have cleared his Graduation with 40% and B.Ed with 51%. He has not cleared his B.A. with 50%.

Learned counsel for the State submits that even after affording due relaxation as per Rules, petitioner No. 1 does not fulfill the eligibility criteria, therefore, promotion could not be granted to him.

Learned counsel for the petitioners is unable to deny the same.

In this view of the matter, no further orders are called for in this writ petition.

Writ petition is, accordingly, disposed of.

April 07, 2022
rts

(LISA GILL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No