

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CWP-3899-2017

Date of Decision : December 14, 2022

Sandeep Karwasra and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anurag Goyal, Advocate, for the petitioners.

Mr. Sandeep Singh Maan, Additional Advocate General,
Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners argues that in the present petition, the claim of the petitioners is that Foreman Instructor be also given the promotion to the post of Lecturer/Senior Lecturer, Head of the Department and thereafter to the post of Principal keeping in view the decision which the Government had taken vide notification dated 18.10.2011, a copy of which has been appended with this petition as Annexure P-6.

Learned counsel for the petitioners concedes a fact that during the pendency of the present petition, vide notification dated 12.11.2019, the said prayer of the petitioners has already been accepted but prospectively.

Learned counsel for the petitioners submits that once the decision was taken to amend the rules in the year 2011, the rules should

have been amended retrospectively from the date of decision and not prospectively, hence, prospective applicability of the amendment of rule is causing prejudice to the petitioners and therefore, the present petition may kindly be disposed of with liberty to the petitioners to avail appropriate remedy for the redressal of their grievance that the notification dated 12.11.2019 be implemented with retrospective effect.

Ordered accordingly.

December 14, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No