

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP No. 29357 of 2022

Date of Decision : 20.12.2022

Sukhdev Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parminder Pal Singh, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner submits that though, the petitioner was fully eligible for promotion but, by considering the incorrect facts, the petitioner is being treated ineligible on the ground that he did not had eight years of experience in his credit, which is required for the post of Headmaster. Learned counsel for the petitioner submits that the petitioner had passed the B.Ed. examination in October, 1998 whereas, the date of passing of the said examination is being taken as 08.02.1999 in the impugned order, which is incorrect. Learned counsel further submits that in case, the date of degree of the petitioner of Bachelor in Education is taken in October, 1998, the petitioner is fully eligible.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents submits that the petitioner has already been given an opportunity of personal hearing, which is clear from the order dated 07.12.2022 (Annexure P-12) and in case the petitioner satisfies the authorities concerned that he was eligible keeping in view the passing of the required examination in October, 1998, appropriate decision will be taken by the authorities even if, any incorrect fact has been noted in an earlier order passed qua the petitioner hence, the present petitioner is premature.

Learned counsel for the petitioner submits that the petitioner has been called for personal hearing a number of times but no final decision is being taken so far by the authorities concerned, which is causing prejudice.

Learned counsel for the respondents submits that the personal hearing of the petitioner is now fixed for 23.12.2022 and in case, the petitioner appears for personal hearing on the said date, appropriate decision will be taken on the issue concerned within a period of four weeks thereafter and the outcome of the same will be informed to the petitioner.

Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, no further grievance of the petitioner survives, at this stage and the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

December 20, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No