

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

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**CWP-1770-2023 (O&M)
Date of decision: 30.01.2023**

Chander Pal Singh and others

...Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikram Sheoran, Advocate for the petitioners.

Mr. R.S. Budhwar, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of mandamus directing the respondents to consider the petitioners against the vacant posts due to non-availability of suitable candidates as the petitioners are the next to last selected candidates for the post of Physical Training Instructor (PTI) Teachers in terms of advertisement No. 06/2006 dated 20.07.2006 (Annexure P-1).

Learned counsel for the petitioners submits that the petitioners had applied for the PTI being eligible under General Category; that some of the petitioners were declared eligible in pre-revised result and some in the revised result, as of now all the petitioners are eligible for the posts of PTIs; that as per the Instructions dated 25.06.2019 (Annexure P-5), issued in compliance of the directions dated 17.07.2013 passed by a Coordinate Bench, all the vacancies in respect of Group 'C' and 'D' falling vacant for any reason

including due to resignation or death of newly selected appointed incumbents during the period of validity of the waiting list shall be filled up from the waiting list and that the Posts of PTIs fall under Group 'C'.

Learned counsel for the petitioners further submits that the petitioners have submitted a representation dated 16.12.2022 (Annexure P-6) and the petitioners will be satisfied, if their representation is decided by respondent No.2 as per the Instructions dated 25.06.2019(Annexure P-5), within a stipulated period.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State.

In view of the above, the present petition is disposed of with a direction to respondent No.2-Director Elementary Education, Haryana, to decide the representation dated 16.12.2022 (Annexure P-6) or any fresh representation of the petitioners, if so advised, filed within 15 days from today, the same be decided within a period of 08 weeks thereafter, by passing a speaking order in view of the Instructions dated 25.06.2019(Annexure P-5).

(HARNARESH SINGH GILL)
JUDGE

30.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No