

CWP-1936-2023

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

CWP-1936-2023

Date of decision: 01.02.2023

Sandeep Sharma

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Anil Kumar Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

At the outset, learned counsel for the petitioner submits that in the legal notice dated 15.12.2022 (Annexure P-11), seniority numbers of the petitioner and respondent No.3 have been wrongly mentioned as 316 and 548, respectively, due to typographical mistake. However in the present petition, the same have rightly been mentioned as 313 and 545, respectively. He prays that the seniority numbers of the petitioner and respondent No.3 be read as 313 and 545, respectively, in the legal notice as well.

In view of the above submissions, aforesaid prayer is accepted.

The present writ petition has been filed for quashing the action of the official respondents in promoting respondent No.3, who is junior to the petitioner, to the post of Trained Graduate Teacher (TGT) English, vide order dated 29.10.2019 (Annexure P-9).

Learned counsel for the petitioner contends that the petitioner

CWP-1936-2023

has been working as a Junior Basic Teacher/Primary Teacher and that while passing the order dated 29.10.2019 (Annexure P-9), seniority of the petitioner has been ignored and respondent No.3, who is junior to the petitioner, has been promoted to the post of TGT, English.

Learned counsel for the petitioner further submits that the petitioner has already sent a legal notice dated 15.12.2022 (Annexure P-11) to the official respondent, which is still pending consideration and the petitioner will be satisfied in case a time bound direction is issued to respondent No.2 to decide the said legal notice.

Notice of motion to respondents No.1 and 2 only, at this stage.

On the asking of this Court, Mr. R.S.Budhwar, Addl. A. G. Haryana, accepts notice on behalf of respondents No.1 and 2 and raises no objection in deciding the legal notice dated 15.12.2022 (Annexure P-11) in a time bound manner by passing an appropriate speaking order.

In view of the request made by the learned counsel for the petitioner during the course of hearing, but without expressing any opinion on the merits of the case, respondent No.2 is directed to decide the legal notice dated 15.12.2022 (Annexure P-11) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

01.02.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No