

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

370

**CWP-17859-1996 (O&M)
Date of Decision: 01.09.2023**

Jagjit Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. No one is present on behalf of the petitioner. The matter pertains to the year 1996 and therefore, taken up for hearing today.

2. The petitioner claims that on taking over of the school, he should have been appointed as a Principal and not as a substantive Head Master. He has submitted that he was a confirmed Principal of the school which has been taken over by the State Government. The school was an aided school and since the respondents have confirmed him on the post of Principal in the aided school, after taking over of the school he should be continued as a Principal and not as a Head Master.

3. The respondents have submitted a detailed reply and pointed out that upon being taken over of the school, the staff of the school has to fulfill the criteria as laid down in the Punjab Educational Service (School and Class-II) Rules, 1976. For the post of Principal, a person must possess 8 years teaching experience for appointment. However, the petitioner had

only four years service as teacher and therefore, he was appointed as a Head

Master instead of Principal.

4. The petitioner claims parity on the basis of instance of one Labh Singh who was also taken over as a Head Master initially and upon representation being submitted by him, was made as Principal. However, the respondents have answered the said aspect pointing out that Labh Singh had more than 13 years teaching experience and therefore, was rightly placed as a Principal of the school while the petitioner was posted as Head Master. It is further pointed out that at the time of appointment as a Principal in the private school, the qualification and experience for the post as required under the Rules of 1976 were ignored.

5. Taking into consideration the aspects as above, I find that the action of the respondents cannot be said to be in violation of any rule or law.

6. Keeping in view the above, the present petition is found to be without merit and accordingly, the same is dismissed.

7. The pending application(s), if any, shall stand(s) disposed of accordingly.

01.09.2023

D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

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