

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

143

CWP-7704-2023 (O&M)

Date of Decision: 17.04.2023

RITU

... Petitioner

Versus

STATE OF HARYANA AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jitender S. Chahal, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Mandamus directing the respondents to consider the higher qualification in the same line for the post of Trained Graduate Teacher (Arts) against advertisement dated 21.02.2023, in view of the Instructions dated 25.03.2016 (Annexure P-4).

At the outset, learned counsel for the petitioner submits that there is a typographical error in the representation (Annexure P-6), inasmuch as, the date has wrongly been typed as 15.03.2023 instead of 27.03.2023. He prays that the same may be corrected.

In view of the above, the date mentioned in the representation (Annexure P-6) be read as 27.03.2023 instead of 15.03.2023.

Registry is directed to make the necessary correction.

Learned counsel for the petitioner submits that, though, the petitioner does not possess the B.Ed. Certificate with teaching subject,

yet the fact remains that the petitioner is having higher qualification i.e. M.Ed. Certificate dated 14.10.2011 in the same line and that while rejecting the claim of the petitioner, Notification dated 25.03.2016 issued by the State of Haryana with regard to minimum qualifications for a post, eligibility of candidates possessing higher qualifications than those laid down as minimum, has not been taken into consideration

Learned counsel for the petitioner submits that for redressal of her grievances, the petitioner has moved a representation dated 27.03.2023 (Annexure P-6), but the same has not been decided till date. He confines his argument to the extent that the respondents be directed to decide the said representation in a time bound manner.

Notice of motion to respondents No.1 to 3 only, at this stage.

On the asking of this Court, Ms. Tanushree Gupta, DAG Haryana, accepts notice on behalf of respondents-State No.1 to 3 and submits that she has no objection if the aforesaid limited prayer made by the learned counsel for the petitioner is allowed.

In view of the above, the present petition is disposed of with a direction to respondent No.2-Director, Secondary Education, Haryana, to decide the representation dated 27.03.2023 (Annexure P-6) moved by the petitioner, within a period of eight weeks from the receipt of the certified copy of this order, by passing a speaking order, as per law.

17.04.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*