

CWP-9499-2023

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

CWP-9499-2023

Date of decision: 04.05.2023

Vanita

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Lochab, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to the respondents to add 10 points on account of chronic disease in the MIS Portal of the petitioner.

Learned counsel for the petitioner contends that the petitioner who is serving as Junior Basic Teacher (JBT) Teacher, is suffering from chronic disease i.e. Polyarthritis with Tietze Syndrome and T.B. of Manubrium, as would decipher from the certificate dated 18.04.2022 (Annexure P-2) issued by the AIIMS, Delhi. He further submits that the petitioner updated the said certificate on the aforesaid Portal, but she had not been given the benefit of 10 points on account of her illness, and that even the Deputy District Education Officer has approved the case of the petitioner. He refers to Sr. No.5 of the second Set of merit points as provided in the Teachers Transfer Policy, 2016, which reads as under:

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<i>Sr. No.</i>	<i>Major Factor</i>	<i>Sub-factor</i>	<i>Max. points</i>	<i>Explanation</i>
5.	Diseases of 'Debilitating Disorders'	Self Spouse/ unmarried children	10 10	Valid Certificate issued during last one year by AIIMS (including its branches in Haryana, PGI, Rohtak, PGI, Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI, Chandigarh, or Duly Constituted Medical Board only.

At this stage, learned counsel for the petitioner submits that for redressal of her grievance, the petitioner will move a representation before respondent No.2 within three days from today and she would be satisfied if the said representation is ordered to be decided in a time bound manner.

Notice of motion.

On the asking of this Court, Mr. RS Budhwar, Additional AG Haryana, accepts notice on behalf of the respondents-State and submits that he has no objection if the aforesaid limited prayer made by the learned counsel for the petitioner is allowed.

In view of the above, but without commenting anything on the merits of the case, the petitioner would be at liberty to move a representation before respondent No.2 for redressal of her grievance, within three days from today, if so advised.

On her doing so, respondent No.2-Director, Elementary Education, Haryana, is directed to decide the said representation, within a period of two weeks thereafter, by passing a speaking order, in accordance with law.

Disposed of in the above terms.

04.05.2023

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No