

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

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CWP-12682-2020 (O&M)

Date of Decision: 28.02.2023

TARUNA AND ORS

... Petitioners

Versus

STATE OF HARYANA AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Anil Kumar Sharma, Advocate
for the petitioners.

Ms. Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Certiorari quashing the impugned order dated 01.12.2016 (Annexure P-1) passed by respondent No.2, vide which the persons juniors to the petitioners have been promoted to the post of Elementary School Headmaster (ESHM).

Learned counsel for the petitioners submits that the petitioners are Trained Graduate Teacher (TGT) Sanskrit and having been appointed/promoted as such during 06.07.1995 to 20.06.2007; that, as per the Service Rules, 2012, the petitioners are fully eligible for promotion to the posts of Elementary School Headmaster and that vide order dated 01.12.2016, the persons junior to the petitioners have been promoted to the posts of Elementary School Headmaster, whereas the case of the petitioners has been rejected, arbitrarily.

Learned counsel for the petitioners further submits that in the short reply dated 18.11.2021, the respondents-State has taken a specific stand that the case of the petitioners will be considered afresh, in view of the seniority list dated 15.01.2019.

On the other hand, learned State counsel submits that the respondent-Department is in the process of considering the case of the petitioners as well as other similarly situated employees, for promotion to the posts of Elementary School Headmaster, in view of the seniority list dated 15.01.2019 and against available vacancies and that the said process will be finalized within a short span of time.

I have heard the learned counsel for the parties.

As per the learned State counsel, the respondent-Department is in the process of considering the case of the petitioners and other similarly situated employees.

In view of the above, respondent No.1-Additional Chief Secretary, Government of Haryana, is hereby directed to consider the case of the petitioners and other similarly situated employees, for promotion to the posts of Elementary School Headmaster, as per the seniority list dated 15.01.2019 and against available vacancies, within a period of three months, from the receipt of the certified copy of this order, in accordance with law.

Disposed of in the above terms.

28.02.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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