

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

103

**CWP-15515 of 2019 (O&M)  
Date of decision: 11.01.2023**

**Kiran Bangar**

**..Petitioner**

**Versus**

**State of Punjab and others**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sunny Singla, Advocate  
for the petitioner.  
Mr. Charanpreet Singh, AAG, Punjab

**ANIL KSHETARPAL, J(Oral)**

This writ petition has been filed with the following substantive prayers:-

- “a) Issue a writ in the nature of certiorari for quashing the order dated 25.5.2019 (Annexure P/7) passed by respondent no.3 whereby the petitioner was directed to be relieved from the promoted post and directed to join back to the earlier post i.e. Elementary Teacher, without affording her any opportunity of hearing and without issuing any notice to the petitioner.*
- b) Issue a writ in the nature of mandamus directing the respondent-department to allow the petitioner to continue on the promoted post.*
- c) Issue any other appropriate writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”*

The petitioner claims that she was promoted as a Teacher (English) in the Master cadre by the Director Public Instructions (Secondary Education) on 30.04.2019, however, on 25.05.2019, she has been reverted to the post of Elementary Trained Teacher by the District Education Officer. It is submitted that the appointing authority of Teacher (English) is the Director of Public Instructions and not the District Education Officer. The petitioner has also made personal allegations against the District Education Officer.

The learned counsel representing the State does not dispute the aforesaid position. He submits that the Director Public Instructions (Secondary Education) should be permitted to pass an appropriate order after considering all the material facts. The private respondent on attaining the age of superannuation has already been retired from the service.

The learned counsel representing the petitioner did not press any other issue.

Hence, the order dated 25.05.2019 is set aside with liberty to the competent authority to pass a fresh order after hearing the petitioner.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

**January 11, 2023**  
*nt*

**(ANIL KSHETARPAL)**  
**JUDGE**

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