

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

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**CWP No. 14906 of 2023
Date of Decision : 17.8.2023**

*Udayvir Singh**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Abhimanyu Singh, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *certiorari* quashing the order dated 15.11.2022 (Annexure P-6), whereby the petitioner's claim for benefits of promotion to the post of S.S. Master with effect from the due date has been rejected.

2. Learned counsel for the petitioner contends that the impugned order is wrong as it denies promotion as S.S. Master to the petitioner from the date it became due, i.e., 30.3.1986, despite his case having been so recommended vide letter dated 24.10.2016.

3. As per the facts apparent on record, the petitioner had submitted a representation seeking promotion as S.S. Master with effect from the due date. His earlier writ petition was disposed of by this Court directing the respondents to decide the representation. The same has been decided vide order dated 15.11.2022 (Annexure P-6), stating that as per the Haryana School Education Rules, 2003 (hereinafter referred to as 'the Rules'), the petitioner was duly considered and given promotion as S.S.

Master vide memo dated 24.10.2016 w.e.f. 8.11.2016. His claim for promotion from the date of his initial appointment as JBT Teacher in the aided School cannot be considered, as the Rules do not provide for the same. Further, there is no provision in law, nor any could be pointed out by the learned counsel, which entitles the petitioner to promotion on the higher post of S.S. Master from the date of recommendation. Besides, it is also not in dispute that the recommendation was returned by the Department with the remarks that only the senior most person can be considered for promotion; and at that time one Radhey Shyam, JBT, was the senior most, not the petitioner. Therefore, he was not found entitled to be considered for promotion. There is nothing illegal or irregular about the same.

4. In view thereof, there is no ground to entertain the petition. Accordingly, it is dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

17.8.2023

Ashwani

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No