

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CWP-24703-2021 (O&M)

Date of Decision: 26.05.2023

SATVINDER SINGH

... Petitioner

Versus

STATE OF HARYANA AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rishu Garg, Advocate for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of a writ in the nature of Certiorari quashing the order dated 12.08.2021 (Annexure P-3).

Learned counsel for the petitioner submits that the petitioner joined as S.S. Master on 13.11.1991; that the petitioner was promoted as Elementary School Headmaster (Middle Headmaster) w.e.f. 20.07.1996; that as per the relevant Rules of the Department, the petitioner was entitled for promotion to the post of High School Headmaster, in the year 2020 and that the petitioner met with an accident and accordingly, he had moved an application on 09.07.2020 for forgoing his promotion due to his ill health. He further submits that, though, the petitioner moved an application vide diary No.225 dated 16.07.2021 to the Block Education Officer, yet vide impugned order, the case of the petitioner for promotion as High School Headmaster was ignored without considering the letter dated 16.07.2021 and the Teachers juniors to him have been promoted.

While relying upon Rule 14 of the Haryana Govt. Gaz. (Extra), Oct. 28, 2016, learned counsel for the petitioner submits that forgoing promotion once, will not be a bar from future consideration.

Learned counsel for the petitioner further submits that the only ground on which the claim of the petitioner was rejected by the respondent-Department is that since the petitioner has retired, he cannot be granted the said benefit.

After arguing at length, learned counsel for the petitioner submits that for redressal of his grievances, the petitioner will move a representation within two weeks from today and he would be satisfied if the said representation is ordered to be decided in a time bound manner.

Learned State counsel submits that has no objection if the aforesaid limited prayer made by the learned counsel for the petitioner, is allowed.

In view of the above and without commenting anything on the merits of the case, the petitioner would be at liberty to move a representation for redressal of his grievances, within two weeks from today, if so advised.

On his doing so, respondent No.2-Director, Secondary Education, Haryana, is directed to decide the said representation, within a period of eight weeks thereafter, by passing a speaking order, as per law.

Disposed of in the above terms.

26.05.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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