

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

222

CWP-29326-2019

Date of Decision: 28.11.2023

Surender Kumar

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 03.05.2019, Annexure P-5, *qua* the petitioner and grant him promotion as Principal under handicapped category from the due date with all consequential benefits.

2. Learned State counsel submits that the impugned order, dated 03.05.2019, declining petitioner's claim for promotion to the post of Principal under three per cent reservation quota for the disabled, is based upon an earlier seniority list which stands withdrawn on the recommendations of the State Commissioner for Persons with Disabilities, Haryana. The Department is in the process of finalizing fresh seniority list after removing discrepancies on the basis of objections received from the aggrieved PGTs. The petitioner's

case for promotion will be considered after the seniority list is finalised. The

relevant paragraph of the affidavit filed on behalf of respondent No.2/Director, Secondary Education, is as under:

8. That it is submitted that vide letter dated 14.07.2022, the department has withdrawn the seniority list of PGTs dated 26.02.2019 on the recommendation of the Hon'ble State Commissioner for Persons with Disabilities, Haryana, Panchkula, of Persons with Disabilities, Haryana and initiated the process for preparing of fresh seniority list of PwD PGTs. Further, the department has constituted a committee vide letter dated 20.01.2023 to finalize the seniority of the PwD PGTs. The copy of the letter is attached herewith as Annexure R-1.
9. That the department has already going through the procedure to prepare a tentative seniority list of PwD PGTs and the same would be finalized after removing all the discrepancies on the basis of cross objections received from the aggrieved PGTs. The claim of the petitioner will be considered accordingly.

3. Since the respondents have undertaken to consider the petitioner's case for promotion as per the revised seniority list, which is in the process of being finalised, the claim raised in the petition is satisfied. Accordingly, the petition stands disposed of in terms thereof.

(TRIBHUVAN DAHIYA)
JUDGE

28.11.2023
Payal

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>