

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

118

CWP-26481-2023

Date of Decision: 24.11.2023

Nisha Devi and others

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sunil K. Nehra, Advocate for the petitioners

Mr. Sanjeev Kaushik, Addl. AG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the notice dated 15.11.2023 Annexure P-4, issued to the petitioners to show cause as to why he should not be reverted from the post of Trained Graduate Teacher (TGT) Social Studies to PRT/JBT by cancellation of promotion order dated 30.06.2022.

2. Learned counsel points out that the issue regarding selection of PRTs was settled by the Supreme Court in Civil Appeal No.7136 of 2022 titled *Vikas Kumar and Others v. State of Haryana and Others*, dated 13.09.2022, wherein it was directed that after filling up of the 9870 vacancies, the 2233 candidates who qualified the HTET after the cut-off date, sometimes in June, 2013, will be appointed as per their inter se merit enbloc

below the above 9870 candidates. Further, it was ordered that seniority

of the candidates will be as per their merit position in their respective lists, and no dispute for seniority will be entertained of any candidate *inter se* different lists. It is contended that without notifying seniority list in terms of the judgment, dated 13.09.2022, the impugned show cause notice of reversion has been issued.

3. Learned State counsel, appearing on advance notice, contends that the petition is not maintainable as it is only against the show cause notice to which the petitioners can furnish their reply. He also contends that a copy of the seniority list finalised on the basis of judgment, dated 13.09.2022, will be furnished to the petitioners to enable them to do so.

4. In view thereof, the petition is disposed of with a direction to the respondents to take a reasoned decision on the show cause notice after furnishing a copy of the seniority list to the petitioners and taking into account their response, for which fifteen days' time will be afforded.

(TRIBHUVAN DAHIYA)
JUDGE

24.11.2023
Payal

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