

**CWP-3171-2021 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****(250)****CWP-3171-2021 (O&M)****Date of Decision : October 24, 2024****Kulwant Singh and others****.. Petitioners****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. H.C. Arora, Advocate, for the petitioners.

Mr. Arun Gupta, Deputy Advocate General, Punjab.

**HARSIMRAN SINGH SETHI J. (ORAL)**

1. In the present writ petition, the claim of the petitioners is that they are eligible to be considered for promotion to the Master cadre but the petitioners are not being promoted from the post of Senior Laboratory Attendant, which act on the part of the respondents is totally arbitrary and illegal.

2. Learned counsel for the respondents submits that not only the post against which the petitioners are claiming promotion, does not exist as of now keeping in view the facts mentioned in the reply but even otherwise petitioners No. 3 to 22 have been found not eligible for promotion keeping in view the fact that they did not had English an elective subject while passing the graduation examination, which is a mandatory qualification for promotion to the post of English Master/Mistress.

**CWP-3171-2021 (O&M)****2**

3. Learned counsel for the petitioners submits that keeping in view the reply filed by the respondents, there is no post available hence, the respondents be directed that as and when any post becomes available, the claim of the petitioners will be considered and appropriate orders will be passed on the prayer of the petitioners.

4. Learned counsel for the respondents submits that as and when any post becomes available for promotion in the quota of the non-teaching staff for promotion to the post of Master/Mistress (SST and Punjabi), appropriate consideration will be given to the prayer of the petitioners in accordance with law by keeping in mind the Rules governing the service, in case they are found eligible for promotion.

5. Learned counsel for the petitioners submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further, at this stage.

6. Ordered accordingly.

7. Civil miscellaneous application pending if any, also stands disposed of.

**October 24, 2024***harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No