

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 201

Civil Writ Petition No.13399 of 1997**Date of Decision: July 25, 2024**Ishwar Singh

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**PRESENT:** - None for the petitioner.

Mr. Krishan K. Chahal, Additional Advocate General,
Haryana.

Tribhuvan Dahiya, J (Oral)

The petition has been filed seeking direction to promote the petitioner as Lecturer (School cadre) w.e.f. 31.05.1993, instead of 02.02.1996, the date from which his junior/fourth respondent has been promoted.

2. Learned State counsel has referred to the written statement filed on behalf of the Department to contend that the petitioner was working as Sanskrit Teacher w.e.f. 12.01.1967, and was posted at Government High School, Kishanpura, Panipat, district Karnal (as it then was). Sanskrit Teachers' seniority was being maintained within the district by the concerned District Education Officer, who was the appointing authority. The fourth respondent was working as Sanskrit Teacher in district Bhiwani, and his seniority was being maintained there. Therefore, the petitioner and the fourth respondent belonged to different cadres, and the petitioner has no right to seek promotion as Lecturer (School cadre) on the basis of promotion, if any, granted to the fourth respondent, nor could he be termed the petitioner's



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junior. These facts have not been disputed by the petitioner by filing any counter affidavit.

3. It is also apparent on record by way of affidavit, dated 03.07.1998, filed by the second respondent-Assistant Director, Recruitment Cell, Directorate of Secondary Education, that provision of common seniority lists of Masters and Mistresses had been made in the new service Rules, which were in the process of publication after being approved by the Government. The eligible employees were to be considered for promotion as Lecturer in Sanskrit (School cadre) on the basis of joint seniority in terms of the new Rules. The petitioner’s case would also have been so considered.

4. In view thereof, there is no merit in the petition.

5. Dismissed.

(Tribhuvan Dahiya)
Judge

July 25, 2024
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No