

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CWP-11675-2019
Date of decision: 05.03.2024

Mohd. Rafiq Thind
....Petitioner
Versus
State of Punjab and others
....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sukhdev Kamboj, Advocate for the petitioner.
Mr. A.S. Bains, AAG, Punjab.

AMAN CHAUDHARY. J.

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of certiorari, for quashing the memo dated 21.12.2018, Annexure P-13 passed by respondent No.2 and for directing the respondents department to grant promotion to the petitioner as Lecturer Political Science.
2. Learned counsel would submit that the present case be disposed of in terms of judgment dated 24.02.2023, passed in CWP-13139-2016 titled as **Ashok Kumar vs. State of Punjab and others**, involving the same prayer, in para 6 whereof it was observed that, “Consequently, the writ petition is disposed of directing the respondents to consider the petitioner’s case for promotion immediately, on the finalization of the seniority list, if the petitioner is found entitled, with effect from the date his juniors were promoted.” A reference was also made in the above case to the judgment in Harbhajan Singh and others vs. State of Punjab and another, CWP-28434 of 2019, decided on 15.02.2023, whereby the seniority list dated 19.06.2019 was quashed, while

directing the respondents to reframe the seniority list in accordance with The Punjab State Education Class-III, (School Cadre) Service Rules, 1978, within a period of six months.

3. Learned State counsel is unable to rebut the factual position in this matter and has no objection to the prayer made.

4. In view of the aforesaid, the present petition is disposed of in terms of the judgment passed in **Ashok Kumar** (supra) and also **Harbhajan Singh and others** (supra).

(AMAN CHAUDHARY)
JUDGE

05.03.2024
Hemant

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