



In the High Court of Punjab and Haryana at Chandigarh

224 (3 cases) & 245

Date of Decision: 25.10.2024

1.

CWP No.11653 of 2022(O&M)

Mohd. Yakub and others

.....Petitioners

Versus

State of Punjab and others

....Respondents

2.

CWP No.22897 of 2022(O&M)

Rajinder Singh and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

3.

CWP No.2833 of 2023(O&M)

Rajinder Singh

.....Petitioner

Versus

State of Punjab and others

....Respondents

4.

CWP No.13563 of 2024(O&M)

Anita Arora and another

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kapil Kakkar, Advocate for the petitioner(s)
in CWP Nos.11653, 22897 of 2022 & 2833 of 2023.

Mr. Ashish Gupta, Advocate,
Mr. Varun Gupta, Advocate and
Mr. Shibham Garg, Advocate for the petitioners
in CWP No.13563 of 2024.



Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

Mr. Pawan Kumar Goklaney, Advocate and
Mr. Ashish Goklaney, Advocate for respondents No.3 and 4
in CWP No.2833 of 2023.

Mr. K.K. Garg, Advocate for the applicant
in CM No.12724-CWP of 2022 in CWP No.11653 of 2022.

Mr. D.S. Rawat, Advocate
for applicants in CM-17093-CWP-2022 in CWP-22897-2022.

Mr. Nikhil Chopra, Advocate for respondents No.3 to 5 in
CWP-22897-2022.

Harsimran Singh Sethi, J. (Oral)

CM No.12724-CWP of 2022 in CWP No.11653 of 2022

Learned counsel for the applicant wishes to withdraw the
instant application.

The application is dismissed as withdrawn.

CM No.17093-CWP of 2023 in CWP No.22897 of 2022

This application under Order 1 Rule 10 read with Section 151
CPC has been moved by the applicants for their impleadment in the array of
respondents as respondents No.3 to 8.

Heard.

Keeping in view the averments raised in the application, the
same is allowed. The applicants mentioned in para 1 of the application are
allowed to be impleaded in the present petition as respondents No.3 to 8 and
the amended memo of parties attached with the present application is taken
on record.



The application stands disposed of.

Main Cases

1. Learned counsel for the petitioner(s) submit that the quota for promotion to the post of Principal from the feeder cadre of Headmaster, is still available whereas the promotions are not being made.
2. Learned counsel for the respondents submit that keeping in view the rules governing the service as amended in the year 2018 with further amendment done in the year 2020, the quota fixed for promotion to the post of Principal from the feeder cadre of Headmaster is already filled up.
3. Learned counsel for the respondents further submit that in case the petitioners are of the view that if any post in the quota in which petitioners are seeking promotion is lying vacant, then they can file a representation giving the details of the quota where the posts are lying vacant especially the feeder cadre of Headmaster, and the said representation will be considered and decided by the competent authority, in accordance with law, within a period of eight weeks from the date of the receipt of the said representation by passing an appropriate speaking order and in case, it is found feasible to accept the claim of the petitioner(s) being eligible under the rules and posts lying vacant in their quota, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner(s) in the speaking order to be passed and the said order will be duly conveyed to the petitioner(s).
4. Learned counsel for the petitioner(s) submit that keeping in



view the statement of learned counsel for the respondents, the present petitions may kindly be disposed of having been not pressed any further.

- 5. Ordered accordingly.
- 6. Pending miscellaneous application, if any, also stands disposed of.
- 7. Photocopy of this order be placed on the files of connected cases.

OCTOBER 25, 2024
d.gulati

(HARSIMRAN SINGH SETHI)
JUDGE

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