



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(230)

CWP No. 11592 of 2017 (O&M)
Date of Decision : 06.08.2024

Malkiat Singh

...Petitioner

Versus

The State of Punjab and another

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Inayat Khullar, Advocate for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that he retired while working as a Vocational Teacher though, he should have been promoted to the post of Vocational Master or the Vocational Lecturer as the case may be.

2. Learned counsel for the respondents, on the other hand, submits that the promotion to the post of Vocational Master or the Lecturer/Principal is governed by the Punjab State Education Class-III (School Cadre) Service Rules, 1978 (hereinafter referred to as '1978 Rules') as amended in the year 1995. Learned counsel for the respondents submits that there is no provision for promotion to the post of Vocational Master from the post of Vocational Teacher and for promotion from Vocational Master to that of Lecturer/Principal, the qualification of B.A. and M.A. Political Science is needed.



3. I have heard learned counsel for the parties and have gone through the record with their able assistance.

4. It is a settled principle of law that an employee can seek promotion only on the basis of the rules governing the service. In case, in the 1978 Rules, as amended in the year 1995, there is no provision for promotion to the post of Vocational Master from the post of Vocational Teacher, the petitioner cannot claim the said benefit. Grant of the benefit claimed will amount to violating the Rules governing the service, hence, the argument that the petitioner should be promoted as a Vocational Master is contrary to the rules, is rejected.

5. Keeping in view the above, no ground is made out for the grant of relief as being claimed in the present writ petition.

6. Dismissed.

7. Pending miscellaneous application, if any, also stands disposed of.

August 06, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No