

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:104388

CWP-18942-2024
Date of Decision: 13.08.2024

DHARAMBIR AND OTHERS ...Petitioners
Vs.

STATE OF HARYANA AND OTHERS ...Respondents

CORAM:- HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sandeep Verma, Advocate for the petitioners.

Mr. R.S. Budhwar, Addl. AG, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the letters, dated 26.07.2024 and 30.07.2024, Annexures P-3 and P-5, respectively, whereby cases for promotion to the post of Principal (Mewat cadre) have been called for consideration.

2. Learned counsel contends that the petitioners belong to Scheduled Caste (SC) category, and are entitled to be considered for promotion in terms of notification dated 07.10.2023, Annexure P-1, whereby reservation in promotion in all the cadres of Group 'A' and 'B' posts in government service has been provided. However, vide the impugned letters, only the cases of General category candidates have been called for consideration.

3. Learned State counsel on instructions received from the Director, Secondary Education, vide memo dated 13.08.2024, contends that the validity of notification, dated 07.10.2023, is *sub judice* before this Court in CWP-24608-2023, *Kamaljeet Singh and others v. State of Haryana and others*, and the petitioners' cases along with those of other similarly placed employees would be considered against the SC category

posts reserved for them after decision of the petition. The instructions are as under:

In this context, it is stated that total 129 posts of Principal are sanctioned in Mewat Cadre out of which 26 posts are meant for SCs as per instruction dated 07.10.2023. It is pertinent to mention here that at present 7 Principal of SC Category is working in Mewat Cadre and 19 posts for SC's officer/officials are kept reserved till the final outcome of CWP No. 24608 of 2023 titled as Kamaljeet Vs State of Haryana. It is pertinent to mention here that at present total 29 posts are available for promotion to the post of Principal and after reserve kept 19 posts for SC candidates, the department is going to consider only 10 cases for promotion to the post of Principal in Mewat Cadre. In this way, no rights of SC candidate are deprived due to the action of the department.

4. In view thereof, it is apparent that the petitioners' interests have been protected, and at appropriate stage they would be considered for promotion against the posts kept reserved for the purpose. Accordingly, there is no ground to interfere in the matter at this stage, and the petition stands disposed of.

13.08.2024

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(TRIBHUVAN DAHIYA)
JUDGE

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