

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.114+117

Date of Decision: 22.11.2024

1) **CWP-31023-2024**

Jai Singh

Versus

.... Petitioner

State of Haryana and others

... Respondents

2) CWP-30776-2024

Sukh Lal

Versus

.... Petitioner

State of Haryana and others

... Respondents

3) CWP-31022-2024

Mohan Singh and others

Versus

.... Petitioners

State of Haryana and others

... Respondents

4) CWP-31409-2024

Randhir Kaur

Versus

.... Petitioner

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. S.K. Malik, Advocate for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

These petitions are being decided together by this common order as the same have been filed on similar facts claiming identical relief.

The facts, however, are being taken from CWP No.31023 of 2024.



2. The petitioner was promoted as TGT Punjabi vide office order dated 27.06.2024, Annexure P-1, pursuant to an order passed by this Court in CWP No.5736 of 2023 filed by him. After promotion he was temporarily posted at Government Middle School, Phullo, District Sirsa, vide office order dated 06.09.2024, Annexure P-2. The grievance raised in the petition is that despite having been temporarily posted, the petitioner has again been asked to fill option vide notice, Annexure P-6, which requires the promoted TGT(s) Punjabi to submit their online preferences from 08.11.2024 to 10.11.2024 for temporary posting.

3. Learned counsel for the petitioner contends that permanent transfer drive has not been notified by the Department as yet, and the petitioner has already been temporarily posted at Sirsa, vide office order dated 06.09.2024. Therefore, there is no reason in asking him to again submit the option, and/or subject him to another transfer drive for temporary posting. He further contends that the petitioner's name was earlier included in the office order dated 13.08.2024, Annexure P-4, whereby eighty-one PRT/C&V Teachers were promoted as TGT Punjabi. Realising the mistake, his name was excluded by the Department, vide office order dated 20.09.2024, Annexure P-5, on the ground that he had already been promoted as such vide office order dated 27.06.2024. Therefore, there is no ground to include the petitioner for temporary transfer with those TGT(s) Punjabi.

4. Learned State counsel has received instructions from the second respondent, vide memo dated 21.11.2024, which are to the following effect:

In this context, it is stated that the respondent Department has granted promotion to 81 eligible JBT/C&V to the post of TGT Punjabi including the petitioner thereafter station was allotted to the petitioner on dated 18.10.24 manually upon considering the representation. Consequently, the other teachers promoted on 13.08.2024 also demands to allot stations



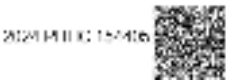
manually. Therefore, to avoid lacunae, keeping in view student welfare, workload and to deal with station allotment process in a proper manner, a notice dated 08.11.2024 has been issued for allocating stations through online counseling to allot station as per their MIS points.

It is pertinent to mention here that the petitioner has been promoted to the post of TGT Punjabi which is state cadre post. Therefore any school in the state can be allotted to the petitioner for the welfare of the students. The online counseling process has been started by the Department vide public notice dated 08.11.2024, so that the stations can be allotted to newly promotees as per their MIS points keeping in view that the study of the students may not be affected/suffered.

5. Heard.

6. It is apparent on record that the petitioners herein were temporarily transferred pursuant to orders issued by this Court in different writ petitions. Theirs were manual transfers carried out keeping in view the directions issued by this Court. Later, the Department promoted about eighty TGT(s) Punjabi, who are also required to be temporarily posted prior to commencement of general transfer drive. In the interest of administration, a conscious decision has been taken to post all the promoted TGTs, including the petitioners, through online counseling as per MIS points after inviting their preferences. No exception can be taken to it as there is nothing illegal or arbitrary about the procedure being followed, nor has any *mala fide* been alleged.

7. At this stage, learned counsel for the petitioners contends that only on account of the pending writ petitions the petitioners could not submit their preferences in response to notice, dated 08.11.2024, and now the time to fill the options is over. Their interests will be adversely affected if they are not allowed to submit the preferences and participate in the drive.



8. In view thereof, the second respondent is directed to accept preferences from the petitioners within next two working days, and consider them for temporary posting along with other promoted TGT(s) Punjabi.
9. The petitions stand disposed of in the aforesaid terms.
10. A photocopy of this order be placed on connected files.

(TRIBHUVAN DAHIYA)
JUDGE

22.11.2024
Maninder/Payal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No