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

CWP-16618-2020

Date of Decision: 24.09.2025

Nanak Singh and others

...Petitioners

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Alka Chatrath, Advocate and
Ms. Jyoti Pandey, Advocate
for the petitioners.

Mr. Surya Kumar, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present writ petition by making the following prayers i.e. :-

“(i) Civil Writ Petition under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of Certiorari, quashing the order dated 06/13.07.2020 (Annexure P-17) issued by the Director, Public Instruction (S.E.), Punjab, illegally, arbitrarily rejecting the cases of the petitioners for promotion from the post of JBT Teacher to the posts of Masters/Mistress in their respective subjects under the Punjab Education Department by stating that their B.Ed. degrees acquired by them from University of Jammu and University of Kashmir before the session 2007-08 are not recognized by the U.G.C. ignoring that the petitioners have passed their B.Ed. degree from University of Jammu and University of Kashmir, which have been established as per law and no UGC approval is required for running the B.Ed. and ETT course as NCTE has been set up under the N.C.T.E. Act, 1993 for planned and coordinated system of teacher education throughout the

country and as per Section 2(i) of the said Act, is applicable to whole of India except the State of Jammu & Kashmir as clarified by the N.C.T.E. vide letter dated 31.05.2007 (P-7), 27.06.2007 (P-8) and 08.12.2015 (P-9) holding that the diploma or certificate in teacher education awarded by the Institutions/ Universities of J&K are valid for employment in other parts of the countries at par with the degrees awarded by the other universities and further ignoring the judgment of Hon'ble High Court dated 01.03.2007 (P-20) and dated 06.07.2010 (P-21) holding the ETT and B.Ed. course from State of J&K valid but the order rejecting the claim of petitioners for promotion has been passed ignoring that the petitioners were recruited as JBT Teachers under Punjab Education Department in the year 2008 on the basis of same B.Ed. degrees and they confirmed as JBT Teachers further juniors who have also passed B.Ed. degrees along with the petitioners from the University of Jammu and University of Kashmir through Directorate of Distance Education, have been promoted vide order dated 13.07.2018 (P-5/1 to P-5/IV), as such, the action being illegal, arbitrary, discriminatory and in violation of the N.C.T.E. and MHRD guidelines and in violation of the judgments dated 01.03.2007 (Annexure P-20); 03.09.2010 (Annexure P-21) and 17.09.2004 (Annexure P-23).

(ii) It is further prayed that a writ of mandamus be issued directing the respondents to promote the petitioners as Masters/Mistress in their respective subjects from the date the persons junior to them have been provided vide order dated 13.07.2018 (Annexure P-5/1 to Annexure P-5/TV) with all consequential benefits.”

2. Learned counsel for the petitioners contends that during the pendency of the present writ petition, B.Ed. Degrees obtained by the petitioners have been declared to be valid by respondents No.1 & 2 and the petitioners have already been promoted to the post of Masters/Mistresses. However, the

benefit of promotion has been allowed to the petitioners w.e.f. 08.08.2021. However, she submits that the JBT teachers, junior to the petitioners, were ordered to be promoted as Masters/Mistresses w.e.f. 13.07.2018 and the benefit of promotion w.e.f. 13.07.2018 has been wrongly denied to the petitioners. Learned counsel further submits that the petitioners may be granted the opportunity to move a representation in this regard to the respondents and certain directions may be issued to the respondents to decide the claim of the petitioners, in a time bound manner. She further relies upon the judgment passed by this Court in *CWP No.4666-2022*, titled as “*Smt. Rama Rani vs. State of Punjab and others*,” decided on 21.08.2024, to contend that the claim of the petitioner is liable to be considered for promotion along with back wages with effect from the date when her juniors were promoted by the respondent-department.

3. On the other hand, learned State counsel also does not oppose the limited prayer made by learned counsel for the petitioners and submits that in case, any representation in this regard is received by respondents No.1 and 2, the same shall be disposed of by respondent No.2.

4. I have heard learned counsel for the parties and perused the record.

5. At this stage, the present petition is disposed of with liberty to the petitioners to make a representation seeking the abovestated relief, to respondents No.1 and 2, within a period of two weeks from today and in case, any such representation is received by respondents No.1 and 2, the same shall be disposed of by respondent No.2, within a period of four months, by passing a speaking and well-reasoned order in the light of the observations made by a Co-ordinate Bench of this Court in **Smt. Rama Rani’s case (Supra)** as well as the

relevant rules/instructions. In case, the petitioners are found entitled to any consequential benefits, the same shall also be granted to them forthwith, alongwith a reasonable rate of interest.

6. Pending application, if any, stands also disposed of.

24.09.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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