

2025:PHHC:011448



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

211-2

CWP-21340-2017 (O & M)
Date of decision: 27.01.2025

Surinder Pal Kaur

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing respondent No.2 to promote the petitioner as Mistress in the Master/Mistress Cadre from the date i.e. 24.08.2007, when her junior-Rajni Sharma was promoted.

2. Learned State counsel refers to paras 2 and 3 of the preliminary submissions, to which there is no rebuttal by filing replication, and the same read thus:

“2. That it is respectfully submitted that Rajni Sharma alleged to be junior to petitioner though appointed on 01-09-1998 yet acquired the B.Ed. qualification in the year May-2001 having teaching subject of Hindi whereas the petitioner though appointed as Clerk on 26-11-87 yet acquired the qualification of B.Ed. in the year July 2007 having teaching subject of Punjabi. It is pertinent to state here Rule 6(3) of Punjab Education Department Ministerial and non-teaching staff (Subordinate Offices) Group "C", which is reproduced below :-

Appointment to the service by promotion shall be made on seniority-cum-merit basis and no person shall have any right to claim promotion on the basis of seniority alone."

3. That in this regard it is submitted that the department vide memo No. 15/15-2001-E-2(5) dated Chandigarh 17.04.2003 decided to make promotions from 1% quota from ministerial staff (non-teaching) for the cadre of master/mistress. The employees of these categories who fulfill requisite education qualifications for master/mistress by 30.09.2002 is directed to send complete cases to this office. True Translation copy of this letter is attached herewith as Annexure R-1. The petitioner was not eligible for the promotion of mistress on. 30.09.2002. whereas the alleged Rajni Sharma junior to the petitioner was eligible for the promotion of Mistress as she had acquired the requisite qualifications for master/mistress before 30.09.2002. Whereas the petitioner acquired the requisite qualification after 30.09.2002 i.e. the petitioner has passed the B.Ed in the year 2007."

3. In view of the above, the present petition is dismissed.

27.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No