



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CWP-25665-2025

Decided On: 01.09.2025

SUNITA ROHILLA

....PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Jawahar Lal Goyal, Advocate  
for the petitioner.

Mr. Amit Sahni, Additional Advocate General, Haryana.

**TRIBHUVAN DAHIYA J.(Oral)**

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to promote the petitioner to the post of High School Headmaster with effect from 15.03.2021/06.04.2021, and further as Principal with effect from 26.04.2023, i.e., the date her juniors have been so promoted.

2. Learned counsel contends that the petitioner joined the Department as TGT Mathematics on 15.01.1990, and the private respondents in November, 1991. The private respondents were promoted as Elementary School Headmaster in 2013; thereafter, they were promoted as High School Headmaster along with others, vide office order dated 15.03.2021, Annexure P-4, and as Principal (School cadre), vide office order dated 26.04.2023, Annexure P-13. He further contends that the petitioner has not been considered for promotion along with her juniors on the ground that she had foregone promotion as Elementary School Headmaster in 2013. This could



not be a ground since the promotion order, dated 20.02.2013, had been set aside by this Court vide judgment dated 22.12.2015 rendered in CWP-4301-2013 titled *Sartaj Singh Dhanda and others v. State of Haryana and others*, along with connected matters. It is also submitted that the petitioner is entitled to be considered for further promotion on the basis of her position in the seniority lists circulated vide memos dated 25.10.2024 and 04.07.2025, Annexures P-16 and P-17.

3. Learned State counsel, however, contends that these are only tentative seniority lists whereby the objections have been sought from the concerned employees and there is no document on record to show that any final seniority list of Elementary School Headmaster has been issued by the Department. As and when it is finalised the petitioner will have a right to consideration in terms thereof.

4. A perusal of the impugned orders show that the reason for not considering the petitioner for promotion as Elementary School Headmaster before her juniors in 2013 was that she had foregone the promotion, and the fact is not disputed by learned counsel for the petitioner. As per the Government instructions, once an employee foregoes promotion and a junior gets promoted in his/her place, the latter becomes senior in the seniority list of the promotional post and the former cannot be given seniority on his/her promotion thereafter. It was in these circumstances that the private respondents were promoted as Elementary School Headmaster and thereafter as Principal (School cadre) after the promotion was foregone by the petitioner. Therefore, she cannot claim promotion on the basis of earlier seniority list. The judgment in *Sartaj Singh Dhanda* case, whereby the office order dated



20.02.2013 giving promotion as Elementary School Headmaster has been set aside, can also not advance the petitioner’s case, since learned counsel for the petitioner has not been able to show her name figured in that promotion order.

5. In view thereof, there is no ground to entertain the present petition and it stands dismissed.

01.09.2025  
Ad

(TRIBHUVAN DAHIYA)  
JUDGE

*Whether speaking/reasoned?*  
*Whether reportable?*

*Yes/No*  
*Yes/No*