

Date of Decision :29.10.2025

Versus

....Respondents

Ms. Tanushree Gupta, Senior Deputy Advocate General, Haryana.

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 12.07.2025, Annexure P-7, to the extent it gives promotion to the petitioners as Trained Graduate Teachers (TGTs) HES-III (School Cadre) with effect from 13.08.2024.

2. Learned counsel for the petitioners contends that petitioners no.1 and 2 are entitled to the benefit of third ACP with effect from 01.12.2021 and 01.08.2023, respectively, as they have completed twenty-four years of service on those dates. Similarly, petitioner no.3 is entitled to second ACP with effect from 01.01.2021, as on that date he completed sixteen years of service. They are entitled to promotion as TGT also from those dates.

3. Learned State counsel contends that the petitioners became entitled to promotion as TGTs in terms of statutory service rules after the amendment carried out vide notification dated 08.02.2023. Accordingly, in compliance with directions issued by this Court in CWP no.27880 of 2024, the impugned promotion order dated 12.07.2025 was passed, and the petitioners were promoted as TGTs with effect from 13.08.2024 on fulfilling the requisite conditions.



4. Considering the aforementioned facts, this Court finds nothing wrong with the impugned promotion order, nor is there any basis to seek change of date of promotion by referring to the petitioners' date of entitlement to ACP grades. The benefits of promotion and ACP grades are governed under different provisions, the former under the statutory service rules and the latter under the ACP Rules. These two benefits are extended on fulfilling different conditions, which are not inter-dependent. Accordingly, the petitioners' date of promotion cannot be altered on the basis of their claimed entitlement to ACP grades. And the prayer to that effect stands declined.

5. Learned State counsel, further submits that so far as the petitioners' claim for grant of ACP grades with effect from the aforementioned dates is concerned, they can make a fresh representation to fourth respondent/Director, Elementary Education, within two weeks from today which will be considered and decided in accordance with law by passing a speaking order within three months therefrom.

6. In view of the statement made, the petition stands disposed of with liberty to the petitioners to make a representation to the fourth respondent, if so advised, which will be decided in terms of the undertaking given by the learned State counsel before this Court.

October 29, 2025

ps

(TRIBHUVAN DAHIYA)
JUDGE

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