

2025:PHHC:151677



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-27858-2025

Date of decision: November 04, 2025

GAURAV SANGWAN

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ravi Ambawata, Advocate
for the petitioner.

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

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed seeking a writ of *mandamus* directing the respondents to allow the petitioner to join as Trained Graduate Teacher (TGT) Science in Rest of Haryana (RoH) cadre as he has been selected for appointment to the post, vide order dated 28.11.2024, Annexure P-4.

2. Learned counsel for the petitioner contends that the petitioner applied for the post of TGT Science in response to advertisement 2/2023, Annexure P-1. Pursuant to his selection, an appointment-cum-posting order dated 28.11.2024, Annexure P-4, was issued to him along with other candidates; his name figured at serial no.10 in the list of candidates mentioned in the order. As per condition no.15 of the abovesaid order, the candidates were required to join at the place of posting within seven days. At that time, the petitioner was working as Tax Assistant in the Income Tax



Department and was posted at Rajkot. On that account, he sought extension of joining time from respondent no.2 vide email dated 11.12.2024, Annexure P-6, and submitted his resignation from the post as well, which was accepted vide letter dated 13.01.2025, Annexure P-7. The petitioner, however, did not receive any response from the Department regarding extension of the joining time, and submitted another request for the purpose vide letter dated 05.02.2025, Annexure P-9. Awaiting the response, he had to accept a provisional appointment as Secretary, Municipal Committee in the Urban Local Bodies Department, Haryana, on 16.01.2025. Request for extension of the joining time was again made to the Department vide emails dated 05.05.2025 and 09.07.2025, Annexures P-10 and P-11 respectively, which also failed to solicit any response. However, his candidature was cancelled vide impugned office order dated 28.08.2025, Annexure P-12 without considering the request for extension, which is arbitrary.

3. Learned State counsel has received instructions from the third respondent vide memo dated 31.10.2025, which is retained on the case file as Annexure 'A' along with enclosures. By referring to the same, she contends that the petitioner was issued the appointment-cum-posting order dated 28.11.2024 and was required to join within seven days but failed to do so. She also contends that vide letter dated 08.01.2025, addressed to the District Elementary Education Officers, instructions were issued to provide last opportunity to the newly selected candidates against advertisement



2/2023 to join their respective places of posting on or before 14.01.2025. Since the petitioner failed to join even up to this date, the Department had no option but to cancel his candidature vide impugned office order dated 28.08.2025.

4. Heard.

5. Considering the facts, it is apparent that the petitioner has been duly selected as TGT Science and issued the appointment-cum-posting order dated 28.11.2024. At that time, he was working in the Income Tax Department at Rajkot as Tax Assistant, the post he resigned from to join the respondent-Department. The instructions given by the respondents are silent regarding the consideration of petitioner's request for extension of time made vide emails dated 11.12.2024, 05.05.2025 and 09.07.2025. It is also not their case that the letter dated 08.01.2025, issued for extending the joining time up to 14.01.2025, was ever brought to the petitioner's notice. In view thereof, the cancellation of his candidature on account of non-joining the post cannot be countenanced. It is an arbitrary action on the part of the respondents as the order has been passed without even examining the request for extension of joining time, nor has it been taken into account that the petitioner has already left his service with the previous employer/Income Tax Department.

6. Another fact apparent from the instructions placed on record by learned State counsel is that a selected candidate for the post of TGT



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Science, Parveen, merit no.309-A, has been permitted to join the post as late as on 30.06.2025. This is mentioned in the enclosed letter dated 11.08.2025, issued by the Deputy District Elementary Education Officer.

7. Consequently, the writ petition is allowed, and the impugned cancellation order dated 28.08.2025 is hereby set aside *qua* the petitioner. Respondents are directed to permit the petitioner to join as TGT Science in RoH cadre in response to appointment-cum-posting letter dated 28.11.2024 within a period of three weeks from today. He can be posted anywhere subject to availability of vacancy and keeping in view the administrative exigencies.

November 04, 2025
Jaspreet Kaur

(TRIBHUVAN DAHIYA)
JUDGE

Whether speaking/reasoned : *Yes*

Whether reportable : *Yes/No*