

2026:PHHC:022410



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108

CWP-26684-2025

Date of decision: February 13, 2026

MADHU BALA

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Parth Goyal, Advocate
for the petitioner.

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

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the promotion order as Trained Graduate Teacher (TGT) Science dated 02.01.2025, Annexure P-10, and also the pay fixation order dated 28.01.2025, Annexure P-12, to the extent it allows notional pay fixation with effect from 22.03.2016 and actual monetary benefits to her with effect from 01.01.2025. Further, a writ of *mandamus* has been sought directing the respondents to pay actual monetary benefits to the petitioner with effect from 22.03.2016, i.e., the date she has been granted ante-dated promotion as TGT (Science), along with all consequential benefits.

2. The claim was partially accepted during pendency of the petition, and the petitioner was released arrears of salary as TGT (Science) with effect from 24.07.2020 to 31.12.2024, amounting to ₹3,56,960, which was duly acknowledged by him vide receipt dated 10.10.2025.

3. Learned counsel for the petitioner contended that for no reason the petitioner was denied promotion from the post of JBT teacher to that of TGT with effect from 22.03.2016, though her junior had been promoted from that date. It was sheer negligence on the part of the Department that her case was not considered for granting the due benefits. She was made to suffer and had to approach this Court twice seeking the due benefits. Also, at no stage was the petitioner conveyed that her case for promotion had been considered or rejected by the Department for any reason.

4. Learned State counsel however contended that actual benefits were not admissible to the petitioner from 22.03.2016, as her case for promotion had been considered by the Departmental Promotion Committee (DPC) on 14.03.2016, but was not found eligible on account of her B.Sc. marks being less than fifty per cent. The assertion has been made on the basis of original record produced in Court. Also, particulars of certain documents were required to be verified which took some time. In this regard she has referred to the following part of the instructions, Annexure 'A':

It is most humbly submitted here that working in good faith, the promotion case of the petitioner was scrutinized by the Departmental Document Verification Committee (DVC) and was not considered eligible. Later on, the Department in pursuance of the Hon'ble High Court order dated 20.11.2019, considered the representation of the petitioner and re-verified the documents of the petitioner and thereby granted promotion on the post of TGT Science in the year 2020 w.e.f the year 2018 (as prayed by the petitioner in that writ petition) subject to the terms and conditions. However, at the time of promotion, there was some discrepancy in the educational documents of the

petitioner w.r.t. the registration no. mentioned in the DMC. The respondent Department, then, uprightly got this discrepancy verified from the concerned University, which took some reasonable time. Moreover, at the time of this promotion and with the passage of time, the department faced some difficulties due to lack of seniority list as JBT is a feeder/district Cadre post, senior-junior issues emerged. Later on, the tentative State level seniority list for the purpose of promotion on the post of TGTs was prepared in the year 2022. ...

She is, however, not in a position to dispute that rejection of petitioner's case for promotion for want of essential qualification as JBT teacher was never conveyed to her.

5. Heard.

6. Considering the facts and circumstances as enumerated hereinbefore, it is apparent that the Department has not been able to satisfactorily explain the reasons for not considering the petitioner for promotion from 22.03.2016, the date her junior had been promoted as TGT (Science). The reasons to explain the lag are not sustainable. Firstly, the rejection of petitioner's promotion case on 14.03.2016, was never conveyed to her. Secondly, the ground for rejection in itself was not sustainable. The Haryana School Education (Group C) State Cadre Service Rules, 2012 require the JBT teachers to possess the degree of '*B.Sc. with at least 45% marks and 1-year Bachelor in Education (B.Ed.), in accordance with the NCTE (Recognition Norms and Procedure) Regulations issued from time to time in this regard*'. In case there was any discrepancy in any of the documents submitted by the petitioner for her appointment as JBT teacher, it

was for the Department to get the same verified at the time of initial appointment itself. If the Department decided to undertake the exercise at some later stage and it took some time, the petitioner cannot be blamed for it, nor can she be denied the due benefits on that account. The lapse is on the part of the Department and it must bear the consequences of wrongful denial of timely promotion to the petitioner and the resultant harassment.

7. In view thereof the petition is allowed, and the impugned orders dated 02.01.2025 and 28.01.2025 are set aside to the extent the same do not give actual service benefits to the petitioner from the date of promotion. The respondents are directed to pass fresh orders giving all service benefits to the petitioner, including salary, from the date of promotion as TGT (Science), i.e., 22.03.2016, and release the remaining benefits with interest at the rate of six per cent per annum from that date till actual payment. The directions are to be carried out within four weeks of receiving a certified copy of this order.

February 13, 2026
Jaspreet Kaur

(TRIBHUVAN DAHIYA)
JUDGE

<i>Whether speaking/reasoned</i>	:	✓ <i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>