
(2012) 08 P&H CK 0155
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 15735 of 2012

Mahesh Kumar Sharma and Others

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 17-08-2012

Acts Referred:

Citation : (2012) 08 P&H CK 0155

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Ashok Kaushik, for the Appellant;

Judgement

Augustine George Masih, J.—Petitioners have approached this Court with a grievance that despite their cases having been referred to and forwarded by the District Education Officer to the Commissioner-cum-Director Secondary Education, Haryana-respondent No. 2 through proper channel, the claim of the petitioners for promotion to the post of Headmasters has not been considered only on the ground that they have been promoted to the post of Lecturers. The earlier view, which was held by the respondents, was that once a person has been promoted to the post of Lecturer, he cannot be promoted to the post of Headmaster, High School. During the pendency of the claim of the petitioners for promotion to the post of Headmasters, High School, an order was passed by the respondents confirming them as Lecturers. Counsel contends that this issue has been considered by this Court while deciding CWP No. 14905 of 2009 titled as Surinder Kumar and others Versus State of Haryana and others, wherein directions have been issued on 27.3.2012 to consider the claim of the petitioners for promotion to the post of Headmasters, High School and promote them if found eligible from the date their juniors have been promoted i.e. 28.8.2009. Petitioners are similarly placed as petitioners in Surinder Kumar's case (supra) and therefore, in the light of the judgment of this Court, they have preferred a representation to the Commissioner-cum-Director Secondary Education, Haryana-respondent No. 2 on 10.5.2012 (Annexure-P-2), but without any response or

result therefrom.

2. Counsel contends that the petitioners, at this stage, would be satisfied, if a direction is issued to the Commissioner-cum-Director Secondary Education, Haryana-respondent No. 2, to consider and decide the representation of the petitioners dated 10.5.2012 (Annexure-P-2), within some specified time.

3. Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with a direction to the Commissioner-cum-Director Secondary Education, Haryana-respondent No. 2, to consider and decide the representation of the petitioner dated 10.5.2012 (Annexure-P-2), within a period of two months from the date of receipt of certified copy of this order. The decision, so taken, be conveyed to the petitioners forthwith. In case the petitioners are held entitled to the claim made by them through their representation dated 10.5.2012 (Annexure-P-2), the consequential benefits, if any, be released to them, in accordance with law, within a further period of one month. If the claim as projected by the petitioners through their representation dated 10.5.2012 (Annexure-P-2) is rejected, then a speaking and well reasoned order be passed by the respondents and the same be conveyed to the petitioners forthwith.