
(2012) 07 P&H CK 0188
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 13209 of 2012

Priyanka

APPELLANT

Vs

State of Haryana and others

RESPONDENT

Date of Decision : 17-07-2012

Acts Referred:

Citation : (2012) 07 P&H CK 0188

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Surinder Garg, for the Appellant;

Judgement

Augustine George Masih, J.—Petitioner has approached this Court with a prayer that she be directed to be considered as appointed w.e.f. 20.08.2004, the date on which other Art and Craft Teachers, who were selected along with the petitioner, have been ordered to be so considered. Petitioner, in response to an advertisement issued by the respondents dated 07.11.2003, applied for the post of Art and Craft Teacher. Result of the selection was declared on 20.08.2004. Total posts advertised were 664, out of which, 287 posts belonged to the General Category. Petitioner was placed at Merit No. 286. Despite her being selected on a clear vacancy, which was advertised, she was not issued appointment letter on the ground that she had passed two years diploma in Art and Craft from the Punjab State Board of Technical Education and Industrial Training, Chandigarh. This action of the respondents was challenged by the petitioner by filing CWP No. 5307 of 2006. Another similarly placed candidate, namely, Monika filed CWP No. 108 of 2004, which was allowed by this Court vide order dated 06.05.2008. Petitioner's writ petition was disposed of in the same terms vide order dated 05.08.2008. In pursuance thereto, petitioner was appointed as Art and Craft Teacher on 20.11.2008. This date was taken to be her appointment date. The grievance, which has been put forth by the petitioner, is that similarly situated employees have been given deemed date of appointment as 20.08.2004 vide order dated 08.07.2010 (Annexure P-5). Since petitioner also is entitled to the

same benefit, she has approached this Court by way of the present writ petition.

2. Since the petitioner has not approached the respondents claiming the benefit of deemed date of appointment, counsel for the petitioner submits that the petitioner shall submit a detailed representation to the Commissioner and Director General, School Education, Haryana-respondent No. 2 claiming the same benefit, as has been granted to the others vide order dated 08.07.2010, within a period of one month, which may be directed to be considered and decided within some specified time. In the light of the statement made by the counsel for the petitioner, if such a representation, as has been stated by the counsel, is submitted by the petitioner within a period of one month from today to the Commissioner and Director General, School Education, Haryana-respondent No. 2, the same shall be considered and decided by him within a period of five months from the date of submission of such representation. The decision so taken be conveyed to the petitioner forthwith. In case, the petitioner is held entitled to the claim made by her through her representation, the consequential benefits, if any, be released to her, in accordance with law, within a further period of two months.