
(2009) 11 P&H CK 0112
In the Punjab And Haryana At Chandigarh

Sukhjinder Singh

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 05-11-2009

Acts Referred:

Citation : (2009) 5 SLR 791

Hon'ble Judges : Ajai Lamba, J

Bench : Single Bench

Judgement

Ajai Lamba, J.—Learned Counsel contends that cut off merit for selection to the post of Art & Craft Teacher was 40.57 merit marks. The petitioner got 57.37 merit marks. Candidature of the petitioner was rejected for the wrong reason. Petitioner approached this Court by way of filing Civil Writ Petition No. 11772 of 2003. While disposing of the writ petition, the Hon'ble Court, in its operative part of Order dated 18.5.2006 held thus:

In view of above, the writ petition is disposed of with the direction to the respondents that benefit of experience gained by the petitioner, in a privately managed recognised affiliated school be given to him and his case be considered for appointment to the post of Arts and Craft Teacher, if the vacancy is available. It is made clear that to give appointment to the petitioner, no other candidate shall be dislodged/ disturbed.

2. Learned Counsel has pointed out that the petitioner was given the necessary relief and was placed at Serial No. 48-A in the seniority list. Benefits of seniority, increment and other benefits flowing there from have not been given.

3. Learned Counsel contends that the petitioner would not claim arrears for the period he did not serve, however, he would be entitled to other benefits.

4. It has been pointed out that a representation has been made as would be evident from Annexure P-12 dated 25.5.2008. Vide Annexure P-13, the school administration has referred the matter to District Education Officer for taking action as per rules. No decision has been taken or conveyed to the petitioner.

5. Considering the nature of issue, I am of the considered opinion that the petitioners have a right to response from the respondents on the representation.
6. The petition is disposed of with direction to the respondents to take appropriate decision on the representation of the petitioner while considering Annexure P-12 as also contents of this petition.
7. Decision be taken within three months of receipt of a certified copy of the order and the same be conveyed to the petitioner.