
(2014) 04 P&H CK 0226
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 23615 of 2012

Suresh Kumar and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 21-04-2014

Acts Referred:

Citation : (2014) 04 P&H CK 0226

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Advocate : Sunil Nehra, Sr. DAG, Haryana for the State, Advocate for the Respondent

Final Decision : Disposed Off

Judgement

Augustine George Masih, J.—Petitioners have approached this Court challenging the letter dated 01.06.2012 (Annexure P-5) whereby 50% marks at the graduation level was fixed for being eligible for consideration for promotion to the post Elementary School Headmaster.

2. In the short reply which has been filed by the respondents, it has been stated that petitioner Nos. 1, 2, 7 to 14 have already been promoted to the post of Elementary School Headmasters rendering their claim infructuous. Qua petitioner Nos. 4, 5 and 6 it has been stated that their service record is not complete and on completion thereof, their claim would be considered for promotion. Qua petitioner Nos. 3, 15, 16 and 17 it has been stated that they do not come within the preview of promotional zone as they are juniors and, therefore, they cannot be promoted to the post of Elementary School Headmasters. Stand has also been taken that the clause with regard to eligibility regarding 50% marks at the graduation level has been relaxed and thereafter the claim of the petitioners has been considered.

3. In view of the above, the present writ petition is disposed of as infructuous qua petitioner Nos. 1, 2, 7 to 14 as they have already been promoted to the post

Elementary School Headmasters.

4. As regards the claim of petitioner Nos. 4, 5 and 6, direction is issued to the Commissioner and Director General, School Education, Haryana-respondent No. 2 to complete the service record of these petitioners within a period of one month from the date of receipt of certified copy of the order and thereafter proceed to consider the cases of the petitioners for promotion as Elementary School Headmasters. Decision in this regard should be taken within a period of one month of completion of record and conveyed to the petitioners forthwith.

5. Since the petitioner Nos. 3, 15, 16 and 17 do not come within the preview of promotional zone as they are juniors, the claim as made by these petitioners for promotion to the post of Elementary School Headmasters cannot be accepted at this stage.

6. In view of the above, the present writ petition stands disposed of.