

## Gurdip Singh Cheema Vs State of Punjab and Others

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Nov. 18, 2010

**Acts Referred:** Constitution of India, 1950 " Article 226, 227

**Hon'ble Judges:** Ajai Lamba, J

**Bench:** Single Bench

**Final Decision:** Dismissed

### Judgement

Ajai Lamba, J.

This petition has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing the Respondents to consider and grant the Petitioner promotion to the post of Lecturer from the date person junior to

the Petitioner viz. Respondent No. 4, has been given promotion, with all consequential benefits.

2. For claiming the relief abovementioned, the Petitioner relies on Rule 9 of Punjab State Education Class-III (School Cadre) Service Rules, 1978

to say that the promotion in service is to be made by selection process based on merit. The seniority alone has not been made the criteria for

promotion of any person.

3. No proper foundation has been laid to indicate as to what process for selection/promotion was undertaken; whether the claim of the Petitioner

was at all considered or not; and in what circumstances Respondent No. 4 has been preferred.

4. Learned Counsel wants to withdraw the petition so as to enable the Petitioner to file a better petition.

5. Dismissed as withdrawn with liberty as prayed for.