

(2010) 11 P&H CK 0589

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 20562 of 2010

Gurdip Singh Cheema

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

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 Dismissed as withdrawn with liberty as prayed for.