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9/9/2022

Director Public Instruction (SE) Punjab, SAS Nagar  
(Establishment-1 Promotion Branch)

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H/2

Speaking Order

Order No:- DPIS-ESTP0LEGL/15/2021-PROMOTION-DPIS/367194/2022841734-41

Dated: 06-09-2022

1.0 And Whereas, Sh Boota Singh s/o Sh. Sher singh . aged about 45 years. SEN No. 7565, SST Master, R/o Mohalla Sadhu Patti, Ward No. 2 Budhlada, District Mansa, presently posted at GMS Chak Bhalke, District Mansa and 2 others had preferred a CWP No. 1018 of 2020 before the Hon'ble High Court, wherein the petitioners had prayed to quash the order dated 20.06.2017 (Annexure P-3), vide which the claim of the petitioners was rejected on the ground of non-availability of vacant posts of Lecturer in English.

2.0 And whereas, the above said writ petition had been decided by the Hon'ble High Court vide order dated 22.07.2022, the operative part of which is reproduced below;

*Learned counsel on instructions from petitioner wishes to withdraw the present petition with liberty to approach the respondent(s).*

*Dismissed as withdrawn with liberty aforesaid. In case any request is made within 2 weeks from today, same shall be considered in accordance with law within next 6 weeks.*

3.0 And whereas, consequently in due compliance of the aforesaid directions of the Hon'ble High Court, the petitioner No. 1 submitted his representation before the department on 27-07-2022. However, the contents of the writ petition as well as the representation dated 27-07-2022 have been perused in the interest of justice. On perusal of the above, it has been found that the precise grievance of the petitioners is that they be granted promotion to the post of Lecturer in English alongwith all consequential benefits arisen thereof.

4.0 And whereas, the Hon'ble High Court in CWP-185 of 2014 vide its dated 16.12.2016 annulled/set-aside the seniority list of the Masters/Mistresses cadre and directed the respondent-2, department to re-cast the joint batch-wise seniority list in terms of Neelam Rani case, decided by the Division Bench of this Hon'ble Court. After determination of master cadre seniority list dated 19-06-2019 promotions made in 2008, 2012 and 2016 was reviewed. Those who were senior in the seniority list are to be promoted to the next post of lecturer and juniors are to be reverted.

5.0 That in pursuant to the order dated 16.12.2016, department determined the fresh joint seniority list of the Masters/Mistress cadre and same was circulated and uploaded on

the official website on 19.06.2019. Thereafter review of the promotions was made in the year 2008, 2012 and 2016 and carried out on the basis of fresh joint seniority list. The result of above review of promotions was uploaded on the official website on 18.09.2019. The status of review in the case of the petitioners and private respondents are compared in the table reads as follow:-

(i) Petitioner's status

Sr. No.	Name of the petitioners and category	Seeking promotion	Seniority as on 19.06.2019	Last promoted candidate seniority Number in SC Category	Status in review
01	Boota Singh (SC)	Lecturer (English)	34139	29523	Do not fall in the selection zone of proposed promotion as per their seniority numbers.
02	Vikramjit Singh (SC)	Lecturer (English)	30238		
03	Balwinder Singh (SC)	Lecturer (English)	29557		

Bare perusal of the above, table makes evident that the petitioners (ibid) being junior in the joint seniority list are not found to be eligible for promotion as lecturer English.

(ii) Private respondents status:-

Sr. No.	Name of the petitioners and category	Presently working as lecturer	Seniority as on 19.06.2019	Last promoted candidate seniority Number in SC Category	Status in review
01	Harjinder Singh (SC)	English	35055	29523	Working as lecturer



02	Sanjiv Singh (SC)	English			
03	Jasvir Singh (SC)	English	32311		
04	Gurmail Singh (SC)	English	33500		
			30309	29523	English, now fall in proposed reversion zone being juniors in the seniority list.
05	Dharminder (SC)	English	30169		

Upon going through the above chart, it is clear that in the review the names of the private respondents fall in reversion zone being junior in the seniority list.

6.0. And whereas, it is also on the record that aggrieved from the above proposed reversion notices some of the beneficiaries filed a bunch of writ petition before the Hon'ble High Court, during the course of hearing on 01-10-2019 the Hon'ble High Court was pleased to pass the following ad-interim order:- :-

*" In the premises, in order to balance the equities and avoid multiplicity of otherwise needless litigation, this Court is constrained to direct the respondents not to implement the impugned seniority list, till further order." (A copy of order dated 01.10.2019 is annexed as annexure R-1)*

7.0. And whereas, in view of the above ad-interim order dated 01.10.2019, the above noted respondents who are in the proposed reversion zone could not be reverted. As discussed above, the matter is crystal clear that claim of the petitioners is invalid, therefore same is hereby rejected and ordered accordingly being devoid of merits.

*Kuljit Paul Singh Mahi, PCS*  
Director Public Instruction (SE), Punjab

Endos: Even / 2022241734-41

Date, SAS.Nagar: 08.09.2022

Copy of the following is forwarded to the followings for information and necessary action:-

1. OSD(litigation), Government of Punjab, Mini Secretariat, Sector-9, Chandigarh.
2. District Education Officer (S.E).Mansa/Gurdaspur.
3. P.A/ D.P.I(SE) Punjab.
4. Legal Cell O/o DPI(SE), Punjab
5. Sh Boota Singh s/o Sh. Sher singh . aged about 45 years. SEN No. 7565, SST Master, R/o Mohalla Sadhu Patti, Ward No. 2 Budhlada, District Mansa

6. Vikramjit Singh S/o Darshan Lal, aged about 44 years, SEN No. 7255, SST Master, R/o H.No. 557/18, Mohalla Shanker Nagar, Tibri Road, Gurdaspur, presently posted at GSSS Bariar, Tehsil & District Gurdaspur.
7. Balwinder Singh S/o Janak Singh, aged about 47 years, SEN No. 7187, SST Master, R/o Village Akbarpur Khudai, Teh. Budhlada, P.O Kahangarh, District Mansa, presently posted at GHS Khudal Kalan, District Mansa.

2013 69. M  
Assistant Director -1 (Promotion)

ਦਫਤਰੀ ਪਤਾ ਪਾਲਾਮੀ ਮਕਾਨ (4) ਮਨਸਾ

ਪਿਤਾ ਮਾਤਾ ਨਾਮ: ਮ-3/1/2022/51305 ਮਿਤੀ: 19-9-2022

1. ਫਿਰਕੇ 21 ਫਿਰਕੇ 23 ਮਨਸਾ ਜਲਿਫ਼ ਫਿਰਕੇ 24 ਤੇ  
ਫਿਰਕੇ 25 ਮਨਸਾ ਰਾਹੀਂ ਪਿਤਾ ਮਾਤਾ ਨਾਮ: ਮ-3/1/2022/51305
2. ਮਨਸਾ ਰਾਹੀਂ

15/09/22  
ਪਤਾ ਪਾਲਾਮੀ ਮਕਾਨ (4)  
ਮਨਸਾ