

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH.**

**Date of Decision : May 31, 2013**

**Ram Parkash & others**

**.... PETITIONERS**

**Vs.**

**State of Punjab and others**

**..... RESPONDENTS**

**CORAM : HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present : Mr.R.K.Arora, Advocate,  
for the petitioners.

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Prayer in this writ petition is for directions to the respondents to consider and grant retrospective promotion to the petitioners as Lecturers and thereafter as Principals in PES-II Group-A cadre from the date persons junior to them have been granted promotion, vide order dated 15.2.2010 (Annexure-P-6).

It has been contended by the petitioners that despite they being senior, respondent Nos.3 to 5 have been promoted firstly as Lecturers and thereafter Principals, without considering their claim for such promotion to the post. Since the petitioners are senior to these respondents, they had a prior right for consideration for promotion. Accordingly, the petitioners had served a legal notice dated 14.03.2013 (Annexure-P-8) upon respondent Nos.1 and 2, but no response thereto, till date, has been received.

In the light of the pleadings, I am of the considered view that the interest of justice would be served by issuing direction to the Secretary to Government, Department of Education, Punjab-respondent No.1 to consider and decide the legal notice served by the petitioners dated 14.03.2013 (Annexure-P-8) within a period of four months from the date of receipt of certified copy of this order.

In case the petitioners are held entitled to the benefit as claimed by them through their aforesaid legal notice, consequential benefits be granted to them within a further period of two months.

Arrears shall, however, be restricted to 38 months prior to the date of service of legal notice served upon the respondents.

If the claim as projected by the petitioners through their aforesaid legal notice is not to be accepted, then a speaking and well reasoned order be passed by respondent No.1 and the same be conveyed to the petitioners forthwith.

**May 31, 2013**  
ramesh

**(AUGUSTINE GEORGE MASIH )**  
**JUDGE**