



CWP-13970-2025

-1-

126

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-13970-2025
Date of Decision: 09.07.2025**

JAYANTI BAI

..... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Kanwal Goyal, Advocate,
Mr. Paramjit Singh, Advocate and
Ms. Sheena Dahiya, Advocate for the petitioner.
Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the show cause notice, dated 26.05.2022, whereby the petitioner has been asked to appear before the first respondent to satisfy and justify her teaching experience on the post of Social Studies Mistress for appointment to the post of Headmistress High School. Further, a prayer has been made to set aside the memo dated 08.11.2023, Annexure P-13, whereby she has been called for personal hearing. Vide this notice, the petitioner's appointment to the post of Headmistress has been disputed for want of requisite eight years experience as Social Studies Mistress on the ground that she did not clear additional subject of History on 10.06.2001.

2. Learned counsel for the petitioner contended that the petitioner was appointed as Headmistress on 17.01.2008; ever since she has been working without any complaint. After about fourteen years of service, she,

**CWP-13970-2025****-2-**

one Ramesh Kumar and other Headmasters were issued a common show cause notice dated 26.05.2022, to explain the objections raised regarding non-fulfillment of requisite experience for appointment as Headmistress/Headmaster. The said show cause notice and the order declining them promotions to the post of Principal on that account, dated 18.05.2022, were challenged before this Court by filing CWP-12834-2022. It was allowed vide judgment dated 15.04.2024, Annexure P-10, setting aside both, the order as well as the notice. Pursuant thereto, Ramesh Kumar was promoted as Principal with effect from 31.05.2017, i.e., the date his junior had been so promoted. Despite the law having been settled vide the aforementioned judgment, and the impugned show cause notice dated 26.05.2022 having been set aside against Ramesh Kumar and another Headmaster, the petitioner is not being considered for promotion on account of this very notice, which is patently illegal and shows disregard to the judgment rendered. The respondents are bound to implement the law laid down for all similarly placed employees without forcing them to approach this Court.

3. Learned State counsel, on instructions, received from the second respondent vide memo dated 07.07.2025, which is retained on case file as Annexure 'A', contends that Ramesh Kumar has been promoted to the post of Principal vide order dated 18.10.2024, Annexure P-11, in view of judgment rendered by this Court in CWP-12834-2022 dated 15.04.2024 titled *Ramesh Kumar v. State of Haryana and others*, which has attained finality. The benefit in terms thereof has not been extended to the petitioner in the instant case as directions in the judgment pertained only to the



CWP-13970-2025

-3-

petitioners therein. She, however, is not in a position to dispute that the petitioner is similarly placed as Ramesh Kumar.

4. Heard.

5. The impugned show cause notice has already been set aside in *Ramesh Kumar* case, and there is no reason for this Court to take a different view. Undisputedly, the petitioner in this case is similarly placed as is the petitioner in *Ramesh Kumar* case, which has attained finality and one of the petitioners therein has been promoted as Principal also, vide order dated 18.10.2024. It is a settled position in law that the Government is bound to give effect to the law laid down in case of all similarly placed employees without forcing each one of them to approach the Court seeking identical relief. Resultantly, the impugned notice and memo being in violation of the settled law become unsustainable.

6. Accordingly, for the reasons recorded in *Ramesh Kumar* case, the instant petition is allowed. The impugned show-cause notice dated 26.05.2022 and memo dated 08.11.2023, are hereby set aside, directing the respondents to consider and promote the petitioner as Principal from the date her junior Ramesh Kumar has been so promoted, with all consequential benefits as have been given to him. No costs.

(TRIBHUVAN DAHIYA)
JUDGE

09.07.2025

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No