

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

CWP No. 19850 of 2005

Date of Decision:-21.01.2015

SI Baldev Singh

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

**CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE DEEPAK SIBAL**

**Present:- Mr. M.K. Dogra, Advocate
for the petitioner.**

Mr. Amit Singh Sethi, Addl. AG Punjab.

SATISH KUMAR MITTAL, J.(Oral)

Learned counsel for the petitioners states that the issue raised in this petition stands already decided in CWP No. 4829 of 2011 and other connected writ petitions which have been disposed of through a common order on 16.12.2014, the relevant portion of which is as under:

"It is thus not difficult to conclude that P.A.P. and the District Police did not constitute any separate cadre prior to 2008 and if that be so, then complete inter-changeability would only suggest that the respondents would be obliged to maintain a joint seniority list of the two categories so as to avoid any prejudicial assignment in seniority to the affected officers. Needless to say that after 2008,

one separate cadre has been created and the acknowledged administrative instinct of the respondents would naturally dictate a separate seniority.

The aforesaid question posed before this Court is thus answered as above and it declared that prior to 2008, the respondents would be obliged to maintain a common seniority for both the categories i.e. P.A.P. and District Police.

In one of the petitions i.e. CWP No.6501 of 2013, learned counsel for the private respondents has raised the issue of delay to contend that the matter has been agitated belatedly. I would not treat this plea to be worthy of acceptance considering the fact that the seniority stood recast in the year 2011 and the first petition in this regard was filed in 2011 itself. The pleas is therefore rejected.

The petitions are thus disposed of with a mandate to the respondents to recast the seniority of the officers by keeping in view the observations of this Court. The respondents would do well to give wide publicity to the exercise proposed to be undertaken and invite the claims and objections from all affected so as to obviate the chances of any objection on this score. While dealing with the matter, the respondents would be at liberty to take an appropriate decision in regard to the individual claims and pass speaking orders in this regard."

Learned counsel states that the controversy involved in this petition is squarely covered by the aforesaid decision.

Learned counsel for the respondents after going through the above said judgment does not dispute the aforesaid fact.

Accordingly, this writ petition is also disposed of in terms of the aforesaid judgment.

**(SATISH KUMAR MITTAL)
JUDGE**

21.01.2015
reema

**(DEEPAK SIBAL)
JUDGE**