

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 2957 of 2011

Date of Decision : December 01, 2015

Anoop Singh Petitioner
vs.
State of Haryana and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. S. N. Pillania, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

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DEEPAK SIBAL, J. :

The petitioner, who is working as a Sub Divisional Engineer in the Department of Development and Panchayat, Government of Haryana, has filed the present writ petition seeking quashing of order dated 11.01.2011 (Annexure P-8), which finalizes the seniority list of Sub Divisional Engineers in the respondent Department to the extent that the name of the petitioner is not included in the final inter se seniority list.

A perusal of the impugned order shows that the name of the petitioner was not included in the list of Sub Divisional Engineers of the

Department for the reason that the issue, as to whether the breaks in his service could be condoned at the time of regularization of his services as Junior Engineer, was awaiting approval of the Chief Secretary to Government of Haryana.

On a query posed, the counsel appearing on behalf of the State of Haryana candidly admits that even after the passage of over four years, the matter has not been decided by the Chief Secretary, Government of Haryana. No reason for such inordinate delay is forthcoming either from the record or from the learned counsel for the State.

This delay has certainly worked to the prejudice of the petitioner.

The aforesaid delay of over four years in the consideration of the case of the petitioner is not appreciated, especially when no reason for such delay is forthcoming.

In the aforementioned background of the case, the Chief Secretary, Haryana is directed to consider the case of the petitioner with regard to the fact whether the breaks in his service could be condoned at the time of regularization of his services as Junior Engineer, within two months from today. The final order be conveyed to the petitioner and on the basis thereof, his name be considered for inclusion in the seniority list of Sub Divisional Engineers of the respondent Department, which, in another case being **C. W. P. No. 1542 of 2011 – Ravinder Mohan and others vs. State of Haryana and others**, has been ordered to be re-framed as per the

directions given therein.

Needless to add that in case the final order to be passed in the case of the petitioner is adverse to his rights, he would be at liberty to challenge the same in accordance with law.

The writ petition stands disposed of in the aforesaid terms.

(DEEPAK SIBAL)
JUDGE

December 01, 2015

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