

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

CWP No.8304 of 2015

Date of decision: 30.04.2015.

Prem Singh

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No

2. To be referred to reporters or not? Yes/No

3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. R.S. Budhwar, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of impugned provisional seniority list of Master Cadre dated 01.01.2012 (Annexure P-6) qua the petitioner, as juniors to the petitioner have been assigned higher seniority number.

Learned counsel for the petitioner submits that the petitioner filed objections as invited by the concerned authority but instead of deciding objections, final seniority list has not been issued so far. Learned counsel also submits that on the basis of this provisional seniority list, promotions are going to take place.

Heard arguments of learned counsel for the petitioner and have also perused the documents available on the file as well as the provisional seniority list.

Admittedly, prayer made in the present writ petition is for quashing of the impugned provisional seniority list and objections have also been invited by the concerned authorities but no final seniority list has been prepared as on date and it cannot be said at this stage that the promotions are going to take place on the basis of this provisional seniority list. Furthermore, no document has been placed on record to show that the promotions are going to take place on the basis of said list. It is also the submission of learned counsel for the petitioner that a representation has been moved by the petitioner on 10.11.2014 annexed as Annexure P-3 with the petition but no action has been taken so far.

In view of the submissions made by learned counsel for the petitioner and keeping in view the prayer made in the present writ petition, the impugned provisional seniority list cannot be quashed as the same is under consideration after inviting objections. Moreover, nothing is on record to show that the promotions are going to take place on the basis of this provisional seniority list.

As such, no ground is made out to interfere with the provisional seniority list at this stage.

Dismissed.

However, the respondents are directed to consider the representation moved by the petitioner by passing a speaking order.

30.04.2015
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(DAYA CHAUDHARY)
JUDGE