

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

CWP No.8621 of 2015
Date of decision: 04.05.2015

Surjit Lal

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ravi Kant Sharma, Advocate, for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for, so as to direct the respondents to re-fix the seniority position of the petitioner w.e.f. 01.01.1985 as Sub Divisional Engineer and consequently the petitioner be placed at serial No.325 in the seniority list over and above M.S. Seera, who joined on 06.11.1985 as SDE. Further, petitioner be granted notional promotion as Executive Engineer (XEN) from the date Satish Kumar Gupta and Mukesh Kumar Goel (Sr. No.333& 334), were promoted as XEN on 18.07.2003. Concededly, the seniority list of SDEs was finalized and circulated on 23.06.2000 (Annexure P1). Ex facie, the said seniority list has been in operation for the past 15 years and the petitioner never objected thereto till he retired on 30.04.2004. So much so, even post retirement, petitioner remained silent for over a

decade. The seniority position assigned to the petitioner in the said list is at serial No.390, and the petitioner seeks that his seniority be re-fixed and he be placed at serial No.325, above M.S. Seera, who is not arrayed as party. The petition suffers from gross, inordinate and unexplained delay and thus, is liable to be dismissed on this score alone.

That being so, no interference in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, is warranted. The petition is accordingly dismissed in limine.

May 4, 2015
Rajan

(Arun Palli)
Judge