

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

Civil Writ Petition No.17047 of 1995

Date of decision: 2.2.2016

Family Planning Field Workers Union

... Petitioner

Versus

The Secretary to Govt. Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.J.C.Batra, Advocate with
Ms.Geetika, Advocate,
for the petitioner.

Mr.Harkesh Manuja, Addl., AG., Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

In a seniority matter, a registered union ordinarily cannot be said to be aggrieved person. It is only aggrieved person who can apply to this Court for directions. The expression, “aggrieved person” takes its meaning from Article 226 of the Constitution of India. Besides, the members of the union are not enumerated in a list accompanied the petition duly verified nor a party. Therefore, the petition is not maintainable. Besides, the writ petition has been filed without a resolution of the petitioner union even when it has been stated in para. 1 that it is “fully registered union”. For this reason as well, the petition deserves to be

dismissed.

There is another reason why this petition deserves to be dismissed is that no useful purpose will be served to enter upon a dissertation on seniority based on pay or pay scales after lapse of more than 20 years.

There is another reason why this petition has to be dismissed is that persons likely to be affected by any order passed on the issue of seniority are not parties and no order can be passed behind their back. They would all have a right to be heard by this Court.

For these many reasons, the petition is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

February 2, 2016

Paritosh Kumar