

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

Date of decision: 11.05.2016

CWP No.6591 of 1996

Dr. Rajinder Singh

...Petitioner

Vs.

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Kanwaljit Singh, Senior Advocate, with
Mr. S.K.Liberhan, Advocate, for the petitioner.

Mr. Inqulab Nagpal, AAG, Punjab.

Mr. Ashish Bansal, Advocate, for
Mr. J.S.Puri, Advocate, for respondent No.2.

Mr. Malkeet Singh, Advocate,
for respondent No.5.

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

RAJIV NARAIN RAINA, J. (ORAL)

The claim essentially arises as to the placement of the petitioner above the private respondents as Subject Expert and to fix the seniority list accordingly.

The prayer is for setting aside of the order dated 11.07.1995 (Annex P-6) which brings Assistant Directors and Subject Experts in a common seniority list. The justification given in the impugned order is that the qualification and experience of both are the same.

Mr. Kanwaljit Singh, learned senior counsel, points out that experience for Assistant Director is 7 years and for Subject Expert is 5 years and thus the premise is wrong in clubbing both categories not to speak of the difference in administrative responsibilities on the shoulders of Assistant Director said to be performing higher duties than Subject Experts.

Be that as it may, by long passage of time of over two decades, there appears to be no life left in the present petition as is suggested by the learned counsel for the Board to close the case as no real or effective relief can be considered by lapse of time. He may not be incorrect in his contention in a seniority and promotion matter even although it cannot be said there was delay in approaching the Court when the writ was filed.

Consequently, the file is closed with liberty to the petitioner to make an application for revival of the petition in case he feels sufficiently aggrieved even at this distance of time which was not foreseen.

Disposed of accordingly.

11.05.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE