

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.9982 of 2000 (O&M)

Date of Decision: 20.10.2016

Smt.Chandna Chaudhary and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.R.K.Malik, Sr. Advocate with
Ms.Rimple Kadyan, Advocate for the petitioner

Ms.Shruti Jain Goyal, AAG, Haryana

Mr.C.L.Sharma, Advocate for private respondents

RAJIV NARAIN RAINA, J. (Oral)

Seniority cannot be determined from the date of recommendations of the Haryana Public Service Commission sent to the Government for considering offering appointments to the posts of Principals in School Cadre. It is only when recommendations are accepted by the Government and appointments follow and the candidates join service can their seniority be determined from the date of appointment, while their *inter se* seniority remaining as per merit. The claim made for seniority to run from the date of recommendation is preposterous and is rejected being against the rules and the settled law.

There is another reason why the writ petition merits dismissal.

When this petition was pending, there were CWP No.16295 of 1999, Karan Singh vs. State of Haryana and connected cases involving similar issue of seniority which cases were disposed of by this Court on 8th January, 2004 and therefore the fate of this petition can be no better. The impugned seniority list (Annex.P-4) by which the private respondents have been declared senior to the petitioners is perfectly just and in order.

In view of the above, I find this petition devoid of merit and the same is accordingly dismissed with no order as to costs.

20.10 .2016	(RAJIV NARAIN RAINA)
MFK	JUDGE
Whether speaking/reasoned	Yes
Whether Reportable	No