

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**Civil Writ Petition No.11029 of 2015
Date of Order: 19.08.2016**

Satnam Singh and others

..Petitioners

Versus

The State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

**Present: Mr. A.K.Walia, Advocate,
for the petitioners.**

Mr. Anshul Gupta, AAG, Punjab.

DAYA CHAUDHARY, J. (Oral)

The grievance of the petitioners in the present petition is that they have not been granted deemed date of seniority, whereas the candidates who were lower in merit have been made senior to the petitioners. Learned counsel for the petitioners also submits that the claim of the petitioners has been rejected by passing a non-speaking order and no reason whatsoever has been given. Simply, it has been mentioned that their cases have been considered and filed after consideration but nowhere it is mentioned as to what was the consideration and why the claim of the petitioners was not accepted.

Learned State counsel submits that in case any change is there in the seniority number then the petitioners should have challenged their seniority. Learned counsel for the State further submits that the affected persons have not been impleaded as party in the present petition.

Heard arguments advanced by counsel for the parties and also perused the impugned order.

On perusal of order dated 17.04.2014 (Annexure P-12), it is clear that it has simply been mentioned therein that the cases of the petitioners have been considered but no reason has been mentioned. A detailed representation was also made by the petitioners but the same has not been considered. In the written statement, filed by respondent-State, it has been mentioned that as per provisions of Punjab Police Rules 13.8(2), the other persons have been brought on the promotion list C-I.

Accordingly, the impugned order dated 14.04.2014, being a non-speaking order, is hereby set aside. However, respondent no.2 is directed to reconsider the cases of the petitioners afresh and pass speaking order as per rules and law applicable, within a period of three months from the date of receipt of certified copy of this order.

In case, any opportunity of hearing is necessary to be given, to the petitioners, the same be granted to them.

August 19, 2016
nt

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No