

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

Date of decision: 19.08.2016

CM No.8223 of 2016 in/and
CWP No.21203 of 2011

Yasin Khan

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K.Nehra, Advocate, for the petitioner.

Ms. Shruti Jain Goel, AAG, Haryana.

Mr. Shireesh Gupta, Advocate, for respondent No.4.

RAJIV NARAIN RAINA, J. (ORAL)

In response to the interim order dated 28.07.2016, the State has filed a status report in which it is disclosed that 'the Haryana Fire (Group C) Service Rules, 2016' have been framed and published vide notification dated 03.06.2016 making way for changing over District-wise seniority to State-wise in accordance with the provisions of Haryana Fire Services Act, 2009. Ms. Shruti Jain Goel, learned AAG, Haryana appearing for the State submits that the tentative seniority list will be framed and circulated for inviting objections by persons likely to be affected. After considering the objections received, if any, and affording opportunity of hearing to those who want, the final seniority list will be framed and published. For this exercise, she says some reasonable time may be given to the State to complete the task. Prayer is accepted. She submits that every effort will be made to conclude the

exercise within six months from today. Such statement is taken as an undertaking to this Court.

In view of the undertaking given by Ms. Goel, nothing remains to be decided in this case anymore. The petitioner and the private respondent will have opportunity to express their views on the issue of seniority through the objections they may file in support of their respective cases.

Needless to say, the petitioner and the private respondent can have no real apprehension of the State favouring either one since the seniority list has to be drawn in accordance with the Rules.

Civil Miscellaneous application and the main case stand disposed of accordingly.

Note: Learned counsel for the State points out that there are six other cases i.e. CWP Nos.2507 of 2013; 25498 of 2012; 23970 of 2014; 15918 of 2015; 17115 of 2015 & 22216 of 2015 involving the same question, which can be disposed of in the same terms.

Registry to list aforementioned cases on 29.08.2016 for consideration and final disposal.

[RAJIV NARAIN RAINA]
JUDGE

19.08.2016
Vimal

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*