

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

**CWP No.25925 of 2014
Date of decision: 04.08.2016**

Varinder Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Arvind Seth, Advocate for
Mr. Vijay Pal, Advocate
for the petitioner.

Mr. T.N. Sarup, Addl. A.G., Punjab
for respondent No.1-State.

Mr. Parminder Singh-I, Advocate
for respondents No.2 and 3.

Daya Chaudhary, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to fix the seniority of the petitioner in accordance with the merit list prepared by the respondents vis-a-vis the similarly situated persons, who have been appointed along with the petitioner. A further prayer has also been made for issuance of direction to respondent No.2 to decide the representation and legal notice (Annexures P-5 and P-6).

Learned counsel for respondents No.2 and 3 submits that the representation/legal notice have already been decided by passing a speaking order and seniority of the petitioner has also been fixed as per merit.

Learned counsel for the petitioner submits that only the marks

of the petitioner have been intimated and the marks of other candidates, who

are lower or upper in merit to the petitioner, have not been intimated. In such a situation, the petitioner is not in a position to know his actual position vis-a-vis other candidates.

Written statement has been filed on behalf of respondents No.2 and 3. The verification has been done by Deputy Secretary/Zones, PSPCL, Patiala. The seniority list has also been annexed with the written statement.

Keeping in view the prayer made by the petitioner, nothing survives in the present writ petition as the seniority of the petitioner has been fixed according to the merit.

However, in case, the petitioner is interested in knowing the marks/merit of other candidates, he is at liberty to move representation to the concerned authorities and in case, such representation is made by the petitioner within a period of one month from today, the respondents are directed to decide the same and necessary information as required by the petitioner, be supplied to him.

Disposed of accordingly.

04.08.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether Reportable

√
Yes/No