

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

C.W.P No. 814 of 2016

Date of decision : 15.01.2016

ASI Deep Chand and others

...Petitioners

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sat Narain Yadav, Advocate
for the petitioners.

RITU BAHRI , J.

Petitioners have filed the present petition for setting aside impugned order dated 26.08.2015 (P-12) vide which the representation submitted by the petitioners have been rejected and further prayer is for quashing the seniority list (P-6).

Petitioners were recruited as Constable by Direct Recruitment in the wireless section of Haryana Police in the year 1984-85 on various dated.

A bare perusal of impugned order dated 26.08.2015 (P-12) shows that as per record, the seniority list dated 11.11.1994 was a tentative seniority of Head Constables against which the department had sought objections from all the Head Constables and total 205 representations were received and after hearing them in person, the

final seniority list was issued vide order dated 16.10.1995 and the same was submitted in this Court on 30.10.1995 vide C.M. No. 4857 of 1995 in CWP No. 6195 of 1993 and the same was circulated to DRO's in Haryana. The seniority list was prepared in pursuance to DGP Haryana No 4235/B-3 dated 16.03.1995 and the representationist were given seniority and promotion at their proper place. Further the matter of seniority has already been settled by this Court in CWP No. 4177 of 2005 filed by Head Constable Parshottam Singh and others, vide order dated 24.05.2005 when petitioner filed representation for change in seniority after 11 years.

After going through the impugned, no infirmity has been found as the impugned order has been passed by referring to the judgment of the Hon'ble Supreme Court in C.A. No. 7605-7610 titled as ***B.S. Bajwa and others vs. State of Punjab and others, 1998(2) SCC 523*** wherein it has been held that it is well settled that in service matter, the question of seniority should not be re-opened in such situations after the lapse of a reasonable period because that results in disturbing the settled position which is not justifiable. This judgment is being followed till date.

The petition is dismissed being devoid of any merit.

15.01.2016

G Arora

(RITU BAHRI)
JUDGE

GAURAV ARORA
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I attest to the accuracy and
integrity of this document