

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

205

CWP-13893 of 2012
Decided on : 27.11.2017

Rajesh Kumar and another

... Petitioners

Versus

Union of India and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present : None for the petitioners.
Mr.Sourabh Goel, Central Govt. Counsel
for UOI-respondents.

P.B. Bajanthri , J. (Oral)

The matter called twice but none appears for the petitioners.

The petitioners have challenged the validity of seniority lists of Inspectors dated 13.12.2010 and 10.5.2012 (Annexures P-8 and P-11).

The grievance of the petitioners is that they are senior to the contesting respondents in the cadre of Sub-Inspector which is source cadre of the Inspector. The petitioners claimed that their names should have been placed over and above the contesting respondents in the seniority list of the Inspector.

Undisputed facts are that for the purpose of promotion to the post of Inspector, one must pass certain tests prescribed under the Regulation read with standing order No.2/2004, issued on 17.8.2004. Contesting respondents have passed the prescribed examination earlier to the petitioners. Consequently, contesting respondents were promoted to the post of Inspector in the year 2006-07 whereas the petitioners passed the requisite examination only in the month of June, 2008 and were

promoted on 4.7.2008.

In this background, challenge to the ranking assigned to the petitioners so also to the contesting respondents in the cadre of Inspector is concerned, it is to be noted that even though petitioners are stated to be seniors to the contesting respondents in the cadre of Sub-Inspector. Admittedly, they have not passed the prescribed test as on the date of occurrence of vacancy of Inspector read with consideration of contesting respondents' claim for promotion on 13.4.2006 and 22.10.2007. Moreover, the petitioners have not challenged the validity of promotion of the contesting respondents. As long as the promotion order of the contesting respondents are intact, the question of inference to the seniority/ranking assigned to the petitioners and contesting respondents with reference to the eligibility to the post of Inspector, cannot be gone into.

Accordingly, petitioners have not made out a case so as to interfere with the seniority list of the Inspector in particularly ranking assigned to the petitioners as well as contesting respondents.

Accordingly, the writ petition stands dismissed.

[P.B. Bajanthri]
Judge

27.11.2017
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No