

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

CWP No.2294 of 2013 (O&M)

Date of Decision: July 24, 2017

Daljit Singh Gill

....Petitioner

vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. R.K. Chopra, Sr. Advocate with
Ms. Gagandeep Kaur, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

Mr. Sanjeev Sharma, Advocate for respondent No.2.

TEJINDER SINGH DHINDSA, J. (Oral)

The instant petition was instituted in the year 2013 for quashing the seniority framed by the Punjab State Agricultural Marketing Board on 13.12.2012 of the Sub Divisional Officers (Civil).

Certain developments that have taken place thereafter, would be relevant. The final seniority list, Part-4 of the Sub Divisional Officers (Civil) issued on 13.12.2012 from Sr. Nos.49 to 90, was challenged by Anoop Singh, Jaspal Singh & Ravinder Kumar SDOs (Civil) by preferring revision petitions, before the Secretary, Department of Agriculture, State of Punjab. The revision petitions were accepted vide common order dated 28.04.2014, passed by the Revisional Authority. The order dated 28.04.2014, was impugned in **CWP No.12906 of 2014 (Kamaldeep Singh vs. State of Punjab and others).**

In terms of order carrying even date i.e. 24.07.2017, **CWP No.12906 of 2014**, has been allowed in the following terms:-

“10. For the reasons recorded above, writ petition

is allowed. Impugned order dated 28.04.2014 (Annexure P-27) is set aside. The matter is remanded back to the Revisional Authority i.e. the Secretary, Government of Punjab, Department of Agriculture, to pass orders afresh after affording to all parties an opportunity of hearing. Such exercise of re-consideration and passing of orders afresh be finalized within a period of three months from the date of receipt of a certified copy of this order.

11. In the meanwhile, it is directed that status quo shall be maintained till the passing of the order afresh as directed and for a period of three weeks thereafter.

12. It is clarified that this Court while quashing the impugned order dated 28.04.2014 (Annexure P-27) and having remanded the matter to the Revisional Authority, has not expressed any opinion on the merits of the case.

13. Petition is allowed in the aforesaid terms"

Since the matter has been remanded back to the Revisional Authority for passing orders afresh after hearing the employees concerned, the instant writ petition is disposed of in terms of granting liberty to the petitioner to approach the Court afresh in the eventuality of any order being passed, which may be construed as prejudicial to his rights.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

24.07.2017
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Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**