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

CWP No.23201 of 2013

Date of Decision : 05.04.2017

Surinder Kumar and another

..... Petitioners

Versus

Haryana Urban Development Authority and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. A.S. Tewatia, Advocate
for the petitioners.

Mr. Namit Kumar, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

By this petition the petitioners have sought two reliefs. First to include their names in the seniority list of Diploma Holders. The second prayer was for grant of Current Duty Charge of regular field staff to the post of Junior Engineer.

In reply with regard to first relief, it has been stated that on the date when the seniority list of Diploma Holders was finalized viz. 14.01.2011 the petitioners did not have the requisite qualification of diploma and consequently their names could not be added in that list. As regards the second prayer, it has been stated that the Current Duty Charge has been given to the petitioners.

Learned counsel for the petitioners has accepted that the second

prayer has been rendered infructuous since the same has been granted to the

petitioners. However, with regard to the first prayer, the learned counsel for the petitioners states that he does not dispute the fact that the petitioners did not have the qualification of diploma on 14.01.2011 but now more than 6 years have elapsed and the respondents are duty bound to frame a fresh seniority list of Diploma Holders.

Learned counsel for the respondents states that on principle there is merit in the argument of the learned counsel for the petitioners but he is not in a position to disclose whether a new seniority list of Diploma Holders has been framed.

In the circumstances, this writ petition is disposed of with a direction to the respondents that in case no seniority list of Diploma Holders has been framed after 14.01.2011, a fresh seniority list of Diploma Holders would be now framed in accordance with rules. Let the necessary exercise be done within a period of six months from today.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

April 05, 2017
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No