

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

103

CWP No.22052 of 2016

Date of Decision : 24.01.2017

Sonu Kumar and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K. Verma, Advocate
for the petitioners.

AJAY TEWARI, J. (Oral)

This petition has been filed challenging the order dated 22/23.08.2016 (Annexure P-22) passed by the respondent No.2.

The petitioners were selected as Assistant Revenue Clerks on 09.09.2010. By order dated 08.08.2014 they were promoted as Ziledars. However, the respondent No.2 set aside those orders. Different writ petitions were filed by similarly situated persons all of which were disposed of by setting aside the order/s on the ground that no opportunity of hearing was granted to those employees. However, in all the cases liberty was granted to the respondents to pass fresh order after following

the due process of law. Thereafter, individual notices were sent to all the

employees including the petitioners and after hearing their claim the impugned order was passed on two grounds by the respondent No.2.

As regards the ground No.1, the learned counsel for the petitioners is not in a position to deny that the petitioners did not fulfil the eligibility condition of three years of service which was required for consideration for the post of Zildar. On this short ground the petition has to be dismissed. However, the learned counsel for the petitioners has stated that the second reason is not correct and states that after filing of the present writ petition the respondents had finalized a seniority list of Assistant Revenue Clerks and he may be granted liberty to challenge that seniority list. In my opinion, no opportunity is required because that is a different cause of action to the present writ petition.

Consequently, the petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

January 24, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No