

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.28204 of 2017(O&M)
Date of Decision: 12.12.2017

Harmit Singh

--Petitioner

Versus

State of Punjab and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.S. Sidhu, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner, who belongs to the S.C category, is serving as Excise & Taxation Inspector under the Department of Excise & Taxation, State of Punjab.

A two fold prayer has been made in the instant petition. In the first instance petitioner seeks the setting aside of letter dated 10.10.2014 (Annexure P-7) stating the same to be contrary to the Reservation Policy of the State Govt. Second prayer is for issuance of a Writ of Mandamus for directing the respondent Department to finalize the seniority list of Excise & Taxation Inspectors.

No submissions have been advanced by counsel as regards challenge to letter dated 10.10.2014 at Annexure P-7 is concerned. To the contrary, this Court finds that such communication was issued on the subject of clarification regarding roster points to be not considered as seniority points. Apparently, such clarification is in terms of the dictum laid down by the Hon'ble Supreme Court in case of *Ajit Singh Januja and others Vs. State of Punjab and others, 1996 AIR, 1189*. Even the second prayer with regard to finalization of the seniority list is found to be ill

founded.

Placed on record is a representation at Annexure P-12 that the petitioner is stated to have submitted before the Excise & Taxation Commissioner, Punjab regarding implementation of the Reservation Policy. In the representation itself there is a reference to a seniority list of Excise & Taxation Inspectors issued by the respondent department vide memo dated 30.3.2017. It is not the case of the petitioner that such seniority list is not the final seniority list in the cadre of Excise & Taxation Inspectors.

Confronted with such a situation, counsel prays for withdrawal of the instant petition.

Prayer is allowed.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

12.12.2017

lucky

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