

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

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**CM-17870-C-2016 in/and
RSA-6870-2016
Date of Decision: 01.11.2017**

HARYANA STATE ELECTRICITY BOARD AND OTHERS

....APPELLANTS

VS

UMRAO AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Abhilaksh Grover, Advocate
for the appellants.

AJAY TEWARI, J.(Oral)

CM-17870-C-2016

This is an application for condonation of delay of 53 days in filing the present appeal.

For the reasons recorded in the application, the same is allowed and delay of 53 days in filing the appeal is condoned.

MAIN CASE

This appeal has been filed against the concurrent judgments of the Courts below decreeing the suit filed by the respondents. The respondents had claimed that they would be entitled to count their seniority from the date they were appointed as Adhoc Assistant Lineman and not from the date they were

regularized as such. Both the Courts below decreed the suit on the ground that other persons who had also been appointed as Adhoc Assistant Lineman and were similarly regularized subsequently were permitted to count their seniority from the date they were appointed as Adhoc Assistant Lineman.

Counsel for the appellant is not in a position to justify how they can now distinguish the case of the respondents. Once it has not been denied that other persons who were appointed as Adhoc Assistant Lineman after the respondents and were similarly regularized were allowed to count their seniority from the date they were appointed as Adhoc Assistant Lineman, no fault can be found in the judgments of the lower Court.

The appeal stands dismissed.

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

01.11.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No