

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

**CWP No. 17000 of 2009
Date of Decision: 10.09.2018**

Mohinder Singh and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

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

Mr. Harish Rathee, Senior DAG Haryana.

RAJIV NARAIN RAINA, J. (Oral)

1. This writ petition has been filed with a prayer to quash the impugned orders dated 03.10.2009 whereby the benefit of List C-I granted to the petitioners and consequently promotion as Head Constables has been withdrawn by the impugned orders (Annex.P-4 to P-7) .

2. Learned State counsel informs the Court that the impugned orders (Annex.P-4 to P-7) have been withdrawn and the seniority of the petitioners has been refixed by an order dated 07.05.2014 (Annex. R-2). The seniority has been fixed by a Committee constituted as per the directions of this Court in LPA No. 645 of 2013, State of Haryana Vs. Sumit Kumar decided on 30.05.2013 and as a result of directions in other judgments which have been mentioned in the affidavit dated

27.03.2017 filed by Rajender Kumar Meena, IPS, Superintendent of Police, Hisar.

3. This renders the petition infructuous as far as the impugned orders dated 03.10.2009 are concerned. However, if the petitioners are aggrieved by the seniority list they are free to resort to judicial redress in appropriate proceedings, if advised.

4. Mr. Redhu is anxious that in the making of this order delay may not be viewed against his client since the matter has been pending adjudication for long. I have no doubt that the delay caused by prosecuting this petition should not come in the way of the petitioners since the Court could have considered, in the alternative, prayer for amending the writ petition. That course is avoided only to help make the paper book, in case filed, short and to the point avoiding bulk while focusing on the final seniority drawn during the pendency of the present petition by pointing out any error of fact or law or application of the seniority rule affecting their rights adversely, if any flaw exists therein.

5. Dismissed as infructuous with the liberty as above.

(RAJIV NARAIN RAINA)
JUDGE

10.09.2018

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