

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

Sr. No.128

CWP-13484-2018

Date of decision : 25.05.2018

Dharmendra Singh Batra

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Abhimanyu Batra, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Learned counsel for the petitioner submits that the seniority of the petitioner in cadre of Veterinary Livestock Development Assistant (VLDA) has been wrongly fixed. A legal notice dated 21.11.2017 (Annexure P-4), was sent on behalf of the petitioner, which has been rejected by a laconic and non-speaking reply dated 19.03.2018 (Annexure P-5).

Notice of motion.

Mr. Gaurav Jindal, AAG, Haryana, accepts notice on behalf of respondents. Let three copies of the petition be supplied to him during the course of the day.

In view of the nature of the order being passed, there is no necessity to seek written statement, at this stage.

Reply dated 19.03.2018 (Annexure P-5), on the face of it is non-speaking and suffers from non-application of mind. The same is accordingly quashed. Respondent No.2 is directed consider legal notice dated 21.11.2017 (Annexure P-4) afresh and pass a speaking order thereupon by specifically taking into consideration the objection of the petitioner that the employees, who were serving as Veterinary Compounder or Stock Assistant and did their refresher course after the appointment of the

petitioner, cannot be shown senior to him in the seniority list, within a period of eight weeks from the date of receipt of certified copy of this order.

(SUDHIR MITTAL)
JUDGE

25.05.2018
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No