

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

CWP No.7602 of 2018
Date of decision: 27.03.2018

Ram Dutt Bhardwaj

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. R.Kartikeya, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Confined to respondents No.1 & 2 only, at this stage.

Mr. RK Doon, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 & 2. Copies furnished.

For the nature of order I propose to pass in the matter, no formal written statements/counter affidavits on behalf of official respondents are indeed necessary, at this stage. Thus, with the consent of the parties, the petition is being disposed of finally.

The petitioner was appointed to the post of Fireman on 14.09.1989. Pursuant to an order dated 10.12.2007, he was promoted to the post of Fire Station Officer. And vide order dated 17.04.2017 (Annexure P5), he had since been promoted as Fire Officer (Hq.) w.e.f. 01.12.2012. However, after his promotion to the post of Fire Officer, the posts of Fire Station Officer and Fire Officer were merged and a tentative seniority list

dated 06.12.2017 (Annexure P6) of the Fire Officer was circulated by the department, wherein the petitioner is shown at serial No.5. The limited grievance that the petitioner has is; that in the final seniority list dated 04.01.2018 (Annexure P8 Colly.) he has since been pushed down to serial No.12. Thus, he submits that while causing a change in the tentative seniority list, he was not afforded any opportunity to file objections to the proposed alteration in his seniority position, reflected in the final seniority list (Annexure P8 Colly.). Rather, he claims that having been promoted as Fire officer, and on merger of the two cadres, he rather ought to have been placed at No.1 in the seniority list of Fire Station Officer.

In response, learned State counsel submits that this petition itself shall be considered as representation on behalf of the petitioner and his claim/grievance shall be dealt with by the respondents within a period of three months from the receipt of certified copy of this order. And appropriate orders, in accordance with law, shall be passed after affording, if necessary, an opportunity of hearing to all the stakeholders.

The petition is accordingly disposed of in the above terms.

In the event the claim of the petitioner is declined, the respondent-authorities shall pass a comprehensive order assigning reasons in support thereof.

27.03.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO