

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.327 of 2017 (O&M) in
CWP No.21839 of 2016

Date of decision: 28.03.2018

Sardul Singh

..... Appellant

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Ms. Ramanpreet Kaur, Advocate, for
Dr. Rau P.S. Girwar, Advocate
for the appellant.

RAJESH BINDAL, J.

Order passed by the learned Single Judge dismissing the writ petition has been impugned in the present intra-court appeal.

In the case in hand, the appellant was appointed as District Welfare Officer by way of direct recruitment on 10.12.1996. He was confirmed in service vide order dated 09.11.2000. The case set up by the appellant is that respondent No.3-Jaswinder Singh had joined on 10.01.1997 but the appellant has been shown junior to him. Further, that he was promoted before the appellant as Deputy Director, Welfare Department ignoring seniority.

The stand taken by the respondents was that the appellant as well as respondent No.3-Jaswinder Singh were selected and recommended for appointment in the same selection process. On account of inter-se merit

of the appellant and respondent No.3-Jaswinder Singh, respondent No.3 was placed at serial No.1 in the merit list whereas the appellant was placed at serial No.2. The error showing the appellant senior to Jaswinder Singh occurred on account of the fact that he joined earlier, which was corrected later on.

Learned Single Judge after considering the contentions raised by the learned counsel for the parties dismissed the writ petition finding that he was selected in the same selection process. A person who was more meritorious has been placed above the person who was below him in merit list. In this case, undisputed facts are that the appellant had secured marks less than the respondent No.3 in the selection process, hence, was rightly placed junior to him.

In view of our above discussion, there is no error in the order passed by the learned Single Judge.

The appeal is dismissed accordingly. Consequently, the accompanying applications are also dismissed.

(RAJESH BINDAL)
JUDGE

(ANIL KSHETARPAL)
JUDGE

28.03.2018
Dinesh Bansal

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No