

In the High Court of Punjab and Haryana at Chandigarh

**IOIN-CWP-17039-2013 in
CWP No. 17039 of 2013
Date of Decision: January 30, 2018**

Paramjit

... Petitioner

Versus

The High Court of Punjab and Haryana, Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: None for the petitioner.

Mr. Joban Singh, Advocate,
for the respondent.

P.B. Bajanthri, J. (Oral)

1. There is no representation on behalf of petitioner even on the earlier occasions so also today.
2. In the instant petition, petitioner has prayed for the following relief:-

“I) Issue an appropriate writ, order or direction especially in the nature of certiorari quashing the communication dated 03.05.2013 along with the decision of the committee dated 28.02.2013 (Annexure P-8) whereby the legal and valid claim of the petitioner has been rejected without treating him senior to the persons appointed as Clerks after him and also in contravention of the High Court Establishment (Appointment and Conditions of Service) Rules, 1973, which provide for a ration of 2:1 between direct recruits and promotees with seniority to be given from the date the person is born in the cadre as the impugned action of treating the juniors of the petitioner as his seniors, violating the quota and the rota rule etc is absolutely illegal, without jurisdiction,

arbitrary, discriminatory, violative of the principles of natural justice and Articles 14 and 16 of the Constitution of India and the law laid down by this Hon'ble Court and the Hon'ble Supreme Court of India and the instructions dated 27.04.1982 (Annexure P-9).”

3. During pendency of this petition, respondent has issued a draft seniority list of every cadre including Clerk and Superintendent Grade-II on 08.12.2016 inviting objections from likely to be affected persons. Petitioner is stated to have submitted his objections on 18.01.2017 and the same has been considered by the concerned Committee on 21.04.2017 and it has been communicated to the petitioner on 21.08.2017. In the meanwhile, draft seniority list dated 08.12.2016 has attained finality by publishing on 01.06.2017. In view of these later development, petitioner has fresh cause of action on 01.06.2017 the date on which the seniority list has been finalised and further rejection of his objections dated 21.04.2017 read with communication dated 21.08.2017.

4. In view of these facts and circumstances, present petition do not survive for consideration. Accordingly, petition stands disposed of. Reserving liberty to the petitioner to challenge final seniority list – ranking assigned to him in the list dated 01.06.2017 as well as decision of the committee dated 21.04.2017 read with communication dated 21.08.2017, if he is aggrieved.

January 30, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No