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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1787 of 2021
Date of decision: 27.01.2021

Ajinder Pal Singh

..... Petitioner (s)

V/s.

State of Punjab and others

..... Respondent (s)

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Kshitij Sharma, Advocate, for the petitioners.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

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Sanjay Kumar, J. (Oral)

The grievance of the petitioner, an Elementary Trained Teacher, is with regard to the preparation of a combined seniority list of Junior Basic Teachers/Elementary Trained Teachers; Head Teachers; and Centre Head Teachers, for effecting promotions to the Master Cadre, which are State-level posts.

It appears that tentative seniority lists were drawn up by the authorities in this regard prompting the petitioner to submit his objections thereto time and again. Mr. Kshitij Sharma, learned counsel for the petitioner, would inform this Court that the petitioner's initial objections

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dated 28.12.2020 were responded to but in the meanwhile, as another tentative seniority list was brought out, he submitted fresh objections thereto on 15.01.2021 but the same are yet to be addressed.

Be it noted that it is the claim of the petitioner that, in terms of the Rules extant, the total length of service rendered by the teachers has to be reckoned from the date of their initial selection/appointment while determining their placement in the combined seniority list. However, the learned counsel fairly concedes that the petitioner forfeited his seniority in a particular district when he sought transfer to another district. As to whether such forfeiture would have an impact on his seniority in relation to the State-level post of Master Cadre is an issue which requires to be examined by the authorities while considering his objections dated 15.01.2021.

In any event, as the authorities are presently seized of the issue and are yet to take a call on the petitioner's objections, no cause is made out for this Court to interfere in the matter at this stage.

Mr. Avinit Avasthi, learned Assistant Advocate General, Punjab, appearing for the respondent authorities, would assure this Court that the later objections would also be taken note of and a suitable reply would be communicated to the petitioner.

The writ petition is accordingly disposed of directing the respondent authorities to consider the petitioner's objections dated 15.01.2021 and also the issue referred to *supra* on merits and in accordance with law and take a decision with regard to finalization of the combined seniority list. The decision taken upon the petitioner's objections dated 15.01.2021 shall be communicated to him. This exercise shall be completed

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expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order.

No order as to costs.

27.01.2021 **(SANJAY KUMAR)**
rakesh **JUDGE**

whether speaking : *Yes/no*
whether reportable : *Yes/no*

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