

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-13796-2021 (O&M)
Date of Decision: 06.08.2021

HC Dinesh Kumar

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Sunil K Nehra, Advocate for the petitioner

Ms. Safia Gupta, AAG Haryana for respondents No.1 to 3

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

The petitioner, *inter alia*, seeks quashing of the tentative seniority list dated 29.11.2018 (P10) vide which the seniority list dated 13.03.2018 (P9) of the Executive Clerical Cadre of the English Branch of the Karnal Range, Karnal has been reframed by the Additional Director General of Police, Karnal which is stated to be in violation of the policy dated 12.11.2012 (P21). A series of other communication, DO, orders have also been impugned (as detailed in the headnote) besides seeking a direction to the official respondents to reframe the seniority list of the said cadre and accordingly make promotions. A direction is also sought to promote the petitioner as ASI w.e.f. 18.03.2021 i.e. the date when junior to the petitioner was promoted.

Learned counsel submits that as per seniority list dated 13.03.2018 (P9), the petitioner was Sr.No.20 whereas names of the private respondents were below him. The grievance of the petitioner is that a revised tentative seniority list was issued on 29.11.2018 to which the petitioner had

submitted his objections. It is, *inter alia*, contended that the tentative seniority list has not been framed keeping in view the lien and seniority fixation policy dated 12.11.2012 (P21). It is pleaded that based upon the said tentative seniority list, person junior to the petitioner has been further promoted.

Notice of motion.

On the asking, Ms. Safia Gupta, AAG Haryana accepts notice on behalf of respondents No.1 to 3, through video conferencing.

At this stage, learned counsel submits that for the same/similar grievance, the petitioner would submit a comprehensive representation within two weeks from today and he would be satisfied if a direction is issued to the competent authority to decide the said representation (to be made) in a time bound manner.

Having heard learned counsel for the parties and without commenting upon the merits of the case, the writ petition is disposed of with a direction to the competent authority – respondent No.3 to consider and decide the above-said petitioner's representation by passing a speaking order within three months from the date of receipt of representation by the petitioner.

So ordered.

06.08.2021

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No