

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

CWP-10612-1998

Date of Decision: 04.05.2022

RAJINDER KUMAR AND ANR.

...Petitioners

Versus

STATE OF HARYANA AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the petitioners.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1998, *inter alia*, for issuance of a writ in the nature of *certiorari* quashing the order dated 05.06.1998 (Annexure P-9) passed by respondent No.2, whereby seniority of the petitioners vis-à-vis respondents No.3 to 11 was refixed and respondents No.3 to 11 were made senior to the petitioners.

2. Petition was admitted on 22.07.2002.

3. When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 23 years before this Court, it has been rendered infructuous and the petitioner seems to have lost interest in pursuing the same.

4. Even otherwise, in the written statement filed on behalf of respondents No.3, 4, 5, 9 and 11, the following stand has been taken:

“1. That the petition deserves to be dismissed on the grounds that the petitioner has tried to mis-lead this Hon'ble Court by mis-stating the facts. In the petition, the petitioner

has tried to build up his case by ascertaining that the petitioner was appointed against regular post through the S.S.S. Board and that he was confirmed employee and, therefore, under the rules he ranked senior to the respondents and averments have been made to the effect that the respondents were not even appointed through regular selection channels and that he was not confirmed employee. These two facts are patently wrong and the petitioner has deliberately tried to build up his case by projecting himself in a better light while mis-stating the facts. The fact of the matter is that the answering respondents were all appointed after having been selected by the S.S.S. Board and were confirmed employees albeit the confirmation have not been made on different dates. The petitioner, therefore, had mis-led this Hon'ble Court on this score and hence the petition deserves to be dismissed."

5. Having perused the aforesaid *vis-à-vis* the record appended with the written statement, I am in agreement with the reasons assigned for denial of the self acclaimed seniority to the petitioners and do not find any grounds to interfere with the same. Neither replication nor any additional affidavit has been filed controverting the aforesaid.

6. The writ petition is accordingly dismissed.

May 04, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No