

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

CWP No.2688 of 2000 (O&M)

Date of decision: 23.05.2022

Pardeep Kumar Sharma

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to determine and finalize the *inter se* seniority of the petitioner having regard to the date of his regular appointment vis-à-vis the regular date of appointment of respondents No.3 and 4.

2. Petition was admitted on 13.02.2003.

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 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in paras 1 and 2 of the reply filed on behalf of respondent No.1 and 2, which are reproduced herein below for ready reference:-

“ 1. That the petitioner’s services were regularized with effect from 01.11.1986 and he had been given all benefits, like, pay & allowances, increments, leave salary & towards pension etc., but he cannot be given seniority from that date.

2. That the petitioner, on his own willingness in the form of application & undertaking (Annexure-R-I & III), was absorbed in the Panchayati Raj Department with effect from 03.08.1993. Therefore, he is entitled to get seniority from this date only, which has already been given to him by the department.”

5. I am in agreement with the stand taken by the respondents as aforesaid. Neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

6. In view of the aforesaid, no grounds are made out to interfere.

7. Dismissed.

23.05.2022
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No