

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

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CWP-6340-2022

Date of decision : 27.07.2022

KIRAN YADAV

..... Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

..... Respondents

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CWP-6388-2022

Date of decision : 27.07.2022

SUDHIR KUMAR

..... Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Rohit Mittal, Advocate
for the petitioner(s).

Mr. Kiran Pal Singh, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present cases, the grievance of the petitioners is that the petitioners, who have already been appointed against the post of PGT Mathematics and Chemistry respectively in pursuance to their selection in respect of the advertisement Annexure P-1, are not being considered for the grant of seniority according to their merit despite the fact that as per their appointment order, it was clearly mentioned that their appointment will be in accordance with the relevant service rules and the instructions. Learned counsel submits that as per the rules, in case of a direct recruitment, the seniority is to be fixed on the basis of the merit obtained by a candidate and therefore, the petitioners need to be given seniority according to their merit.

Learned counsel for the petitioners further submits that the claim

as being raised in the present petitions has already been raised by the petitioners with the respondents vide representations dated 09.03.2022 (Annexure P-12) and 18.02.2019 (Annexure P-10) respectively and the petitioners will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana, accepts notice on behalf of respondents-State and raises no objection in deciding the representations dated 09.03.2022 (Annexure P-12) and 18.02.2019 (Annexure P-10) respectively in a time bound manner by passing appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners on 09.03.2022 (Annexure P-12) and 18.02.2019 (Annexure P-10), respondent No.2 is directed to decide the representations dated 09.03.2022 (Annexure P-12) and 18.02.2019 (Annexure P-10) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case the petitioners are found entitled for the relief, the same be released to them within a further period of four weeks.

Present writ petitions stand disposed of.

A photocopy of this order be placed on the connected case file numbered above.

(HARSIMRAN SINGH SETHI)
JUDGE

27.07.2022

rimpall

Whether speaking/reasoned
Whether Reportable :

Yes
No