

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

CWP-28040-2018 (O&M)

Date of decision: November 14, 2022

Anoop Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sajjan Singh, Advocate for the petitioners.

Mr. R.K.S. Brar, Additional AG Haryana.

Mr. Manish Prabhakar, Advocate for respondents No.4 to 35,
37 and 38

Mr. Naveen Sharma, Advocate for respondent No.36.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari seeking to quash order dated 10.07.2014 (Annexure P-2), and order dated 25.08.2014 (Annexure P-2A), whereby, services of private-respondents were regularized from 28.05.2014 and 30.06.2014 respectively as Clerk and the seniority lists dated 29.02.2016, 12/13.03.2018, 14.08.2018 and 12.10.2018 (Annexures P-5, P-6, P-7 & P-8) *qua* the private-respondents.

2. In Para-3 the return dated 10.10.2019 filed on behalf of respondents No.1 to 3, reliance has been placed on administrative instructions dated 11.07.2019 (Annexure R-I) followed by an office order dated 25.07.2019 (Annexure R-II) issued by the Directorate of Secondary Education addressed to all the officer/ Superintendents of Secondary

Education and Elementary Education stating *inter alia* as below:-

“Administrative Department is advised to re-fix the seniority of promoted Clerks from the post of Peon as per their promotion order as such the seniority of regularized Clerks from the post of Data Entry Operator may be re-fixed from the date of issuance of regularization order as per para 3 of regularization policy dated 18.06.2014.”

3. In the premise, no further indulgence by this Court is required since in the revised provisional seniority-list, the petitioners have been shown above the private-respondents and thus, they are senior. It is not disputed that the orders for regularisation of private-respondents were issued under the policies of the year 2014. In the Chief Secretary’s instructions dated 11.07.2019 (Annexure R-1), it was written *inter alia* as follows:-

“3. But, the Clerks who were regularised under the policies of year, 2014 may not be promoted till the final outcome of SLP No.31566 of 2018.”

4. *Apropos*, it is expected of the respondents to follow the administrative directions already issued by the Chief Secretary.

5. Disposed of, accordingly.

6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

November 14, 2022

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No