

CWP-2308-2023

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

CWP-2308-2023

Date of decision: 06.02.2023

Om Parkash and another

...Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Gurdeep Kaur, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Challenge in the present petition is to the seniority list dated 17.04.2018 (Annexure P-7), vide which the petitioners have been shown juniors to respondent No.6.

Learned counsel for the petitioners contends that vide orders dated 02.04.1990 and 24.04.1990 respectively, the petitioners were appointed as Clerks in the Haryana Education Department (Subordinate Officers); that the petitioners had been promoted to the posts of Assistants, vide orders dated 01.02.2011 (Annexures P-3 and P-4), and that however, respondent No.6 was appointed as a Clerk on 08.05.2013 and he joined the duties on the said post on 22.05.2013.

Learned counsel for the petitioners further contends that despite the fact that respondent No.6 was appointed much later than to the petitioners, but he has been shown senior to the petitioners in the seniority list.

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Learned counsel for the petitioners further submits that the petitioners have already raised the said grievance before the official respondents by way of legal notices dated 10.08.2022 (Annexures P-10 and P-11), which are still pending consideration and the petitioners would be satisfied in case a time bound direction is issued to respondent No.2-Director, Secondary Education Department, Haryana, to decide the said legal notices.

Notice of motion to respondents No.1 to 5 only, at this stage.

On the asking of this Court, Mr. R.S.Budhwar, Addl. A.G. Haryana, accepts notice on behalf of respondents No.1 to 5-State and raises no objection in deciding the legal notices dated 10.08.2022 (Annexures P-10 and P-11) in a time bound manner by passing an appropriate speaking order.

In view of the request made by the learned counsel for the petitioners during the course of hearing, but without expressing any opinion on the merits of the case, respondent No.2 is directed to decide the legal notices dated 10.08.2022 (Annexures P-10 and P-11) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. It is also made clear that while passing the order, respondent No.2 shall also afford an opportunity of hearing to respondent No.6.

Disposed of.

06.02.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No