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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2133-2023 (O&M)
Date of Decision: 03.02.2023

VIKRAM SINGH CHAUHAN AND ANR.

.. Petitioners

Vs.

THE UNITED INDIA INSURANCE CO. LTD AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.K. Walia, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of Certiorari/Mandamus for quashing the seniority list 01.04.2014, as the seniority of the petitioners, who are working as Administrative Officer (Hindi) was wrongly fixed below the Administrative Officer (General list). Further prayer is for issuance of writ in the nature of Mandamus directing the respondents to correctly assign the seniority of the Administrative Officer (Hindi) along with consequential benefits, including further promotion to Officer scale-II.

Learned counsel submits that the petitioners joined as Assistants with the respondent No.1, who were later on promoted as Senior Assistants and thereafter, pursuant to the promotion policy of the year 2006 (Annexure P-1), the petitioners were promoted as Administrative Officer (Hindi) vide order dated 14.08.2013, who joined the said post on 16.08.2013 and 19.08.2013, respectively. Learned counsel submits that since the Administrative Officers (Hindi) Branch are less in number,

therefore, they are being discriminated while fixing the common seniority list. Learned counsel further pointed out that the vacancies of Administrative Officer (Hindi) were declared on 27.03.2013, which were to be filled up by way of promotion and in this regard, the written test was held on 24.05.2013. After declaring the result of written exam on 12.06.2013, the interviews were held on 02.07.2013, but their final result was not declared, as the preference was given to the Administrative Officer (General list). He further submits that for filling up the vacancies of Administrative Officer (General list), the result of written examination was notified on 28.06.2013 and after conducting their interviews, their final selection list was declared on 18.09.2013, whereas, the result of the final selection list of Administrative Officer (Hindi) was declared on the next day. Learned counsel submits that the impugned seniority list suffers from discrimination and arbitrariness, therefore, intervention is called for by this Court, because the representations dated 11.09.2020 and 13.10.2020, followed by legal notice dated 18.08.2022 (Annexure P-19) sent by petitioners have failed to evoke any response.

After hearing the learned counsel and considering his submissions, this Court finds that the petitioners upon their promotion to the post of Administrative Officer (Hindi) had joined the said post in August, 2013, but they have raised their grievance in respect of the impugned seniority list dated 01.04.2014 (Annexure P-15) for the first time through their representation dated 11.09.2020, therefore, it is evident that the claim raised by the petitioners in this writ petition is highly belated and suffers from latches.

At this stage, Mr. Walia, learned counsel submits that the

petitioners have also made an alternative prayer for issuance of directions to decide their legal notice, and prays that the direction in this regard be issued. Having considered the alternative prayer also, this Court does not find any merit in it as well.

Resultantly, no case is made out for exercise of extra ordinary writ jurisdiction under Article 226 Constitution of India.

Dismissed.

03.02.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No