

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

110

CWP No.8034-2023
DECIDED ON: 10.08.2023

Harsh Kumar

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.H.C.Arora, Advocate, for the petitioner.

Mr. Paramjit Batta, Addl. A.G.Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. Learned counsel for the State submits that the appointment order dated 12.07.2023 has been issued in favour of the petitioner, copy of which has been handed over to the counsel for the petitioner.
2. The order dated 12.07.2023 is taken on record. From the perusal of the order dated 12.07.2023, it is apparent that the petitioner has been placed at open merit no.70-A and has been offered appointment as Civil Surgeon posted as Mansa.
3. In view of the order dated 12.07.2023, the grievance of the petitioner stands redressed.
4. Learned counsel for the petitioner submits that a person lesser in merit was offered appointment and joined in January 2022, while the petitioner has been issued appointment order now and submits that the appointment should relate back to the date when the person lesser in merit was appointed.

5. In the opinion of this Court, such orders need not be passed as the appointment orders can be issued separately. However, this Court notices that the merit position of the petitioner has been kept intact and therefore, his seniority *inter se will* merit remain intact. The appointment can never be given retrospectively.

6. In view thereof, since the relief has been granted substantially to the petitioner, the writ petition has become infructuous and is dismissed as such.

10.08.2023
mamta

(SANJEEV PRAKASH SHARMA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No