

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

CWP-9136-2023

Date of Decision: 02.05.2023

Ravinder and others

... Petitioners

Versus

State of Haryana and others

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Lukesh Kumar, Advocate for the petitioners.

Mr. R.S. Budhwar, Addl. A.G. Haryana.

Mr. Gaurav Rana, Advocate for caveators No.5 and 6.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of *certiorari* directing the respondents for quashing the final Seniority List of clerks dated 12.04.2023 employed at Kalpana Chawla Government Medical College, Karnal at Annexure P-5.

Learned Counsel for the petitioners submits that the final seniority list have been prepared by the department and the petitioners have been shown lower in seniority to respondents No. 4 to 7 namely Dharam Pal, Rajesh Kumar, Amit Kumar and Arvind Bhardwaj and thus as per the seniority list petitioners are bound/entitled to be senior to above-said four employees.

Notice of motion.

On the asking of the Court, Mr. R.S. Budhwar, Addl. A.G. Haryana, accepts notice on behalf of respondents-State and Mr. Gaurav Rana, has entered appearance on behalf of respondents-caveator No.5 and 6.

It has been informed to this Court that the abovesaid four employees mentioned at Sr. No.1 to 4 in the seniority list, have joined as Class-IV employees on transfer basis and they inadvertently promoted as Clerk by counting their past services rendered in their previous department i.e. District Courts and accordingly they have already been served show cause notice regarding not to court their past service and these four employees have preferred CWP No.15564 of 2021 and connected petitions regarding counting of the past service in promotion and which have pending adjudication in this Court. It has also been brought to the notice of this Court that the impugned order dated 12.04.2023 (Annexure P-5) vide which the final seniority list has been prepared, have also a condition that the seniority slot of Sr. No.1 to 4 (respondents No.4 to 7) and 10 to 19 is subject to final outcome of above-mentioned petition.

I have heard learned counsel for the petitioner as well as learned State Counsel.

Though inadvertently the seniority was given to respondents No.4 to 7 namely Dharampal, Rajesh Kumar, Amit Kumar and Arvind Bhardwaj, who were the employees of the District Court but after realizing the mistake, the department have issued show cause notice to them and the aforesaid officials have knocked the door of Court by filing CWP No. 15564 of 2021 and other connected petitions and the matter is pending adjudication. Even otherwise the impugned order dated 12.04.20213 (Annexure P-5) the seniority of candidates at Sr. No.1 to 4 for which the petitioners are agitating, is subject to the final outcome of the petitions preferred by them.

No case is made out at this stage.

Dismissed.

02.05.2023

shweta

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*