

CWP-3545-2005

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2023:PHHC:127747

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

**CM-13987-CWP-2021 in/and
CWP-3545-2005**

Date of decision : 03.10.2023

Amrik Singh

...Applicant-Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. K.L.Arora, Advocate
for the applicant-petitioner.

Mr. Arun Gupta, AAG, Punjab assisted by
Mr. Jaswinder Singh, Senior Assistant,
Department of Local Govt.Punjab.

None for respondent Nos.3 to 12.

DEEPAK MANCHANDA, J.

CM-13987-CWP-2021

The present application has been filed under Section 151 CPC with a prayer for disposal of the main writ petition in pursuance of the order dated 29.08.2018 passed in CM-14753-CWP-2016 in CWP-3545-2005, wherein it was averred by the learned counsel for the petitioner that the present case can be disposed of being covered by judgment dated 02.05.1997 (Annexure P-8)

Learned counsel for the petitioner submits that the present matter is squarely covered by the judgment dated 02.05.1997 (Annexure P-8) passed by this Court in CWP-5966-1997 as well as by the consequent order dated

18.01.1999 (Annexure P-9) passed by respondent No.2.

Vide orders dated 24.09.2021 and 14.12.2021, learned State counsel sought time to have instructions whether the present case is covered by the judgment passed by the Division Bench of this Court in CWP-5966-1997 or not.

Today, learned State counsel submits that he does not have any objection in case the present petition is disposed of, as prayed in the application.

In view of the above, present application is allowed and the main case is taken on today's board.

Main case

Petitioner has filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of certiorari for setting aside the seniority list dated 10.03.2004 issued vide orders dated 01.12.2004 (Annexure P-6), whereby private respondents junior to him have been shown senior in the cadre of Junior Engineers.

After arguing for some time, learned counsel for the petitioner undertakes to file representation before the competent authority and submits that at this stage he would be satisfied, if a direction is issued to respondent authority to consider and decide his representation.

Learned State counsel does not oppose the prayer made by learned counsel for the petitioner.

I have heard learned counsel for the parties and have gone through the case file carefully.

In view of the above, without advertng to the merits of the case,

the present petition is disposed of with a direction to petitioner to move a representation within a period of one month from the date of receipt of certified copy of this order and on his doing so, the same shall be decided by the competent authority, within a period of two months thereafter, by affording opportunity to private respondent Nos.3 to 12 in this regard.

It is further made clear that the prayer made in the representation shall be considered in the light of judgment dated 02.05.1997 (Annexures P-8) and consequent order dated 18.01.1999 (Annexure P-9).

Disposed of.

(DEEPAK MANCHANDA)
JUDGE

03.10.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No