

2023:PHHC:096022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CWP-10677-2017

Date of Decision : July 27, 2023

Jatinder Kaur

.. Petitioner

Versus

State of Haryana and others

.. Respondents

(208-2)

CWP-24531-2019

Usha Rani

.. Petitioner

Versus

State of Haryana and others

.. Respondents

(208-3)

CWP-24666-2019

Jatinder Kaur

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shvetanshu Goel, Advocate, for the petitioner(s)
in CWP No.10677 of 2017, CWP Nos.24531 and
24666 of 2019.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Mr. Gopal Sharma, Advocate,
for respondent No.4 in CWP No.10677 of 2017.

HARSIMRAN SINGH SETHI J. (ORAL)

1. By this common order, three writ petitions, the details of which have been given in the heading of the order, are being disposed of as all the petitions involve the same question of law on similar facts.

2. The only claim in the present petitions relates to the seniority in the cadre of Sister Tutor.

3. The petitioner is claiming seniority over and above the private respondents who belongs to the reserved category. Though it is a conceded position that respondent No.4 was granted promotion to the post of Sister Tutor prior to the petitioner but the petitioner is claiming seniority by placing reliance upon the judgment of this Court in ***CWP No.25512 of 2012 titled as Rajbir Singh vs. State of Haryana and others, decided on 14.11.2014*** whereas, respondent No.4 is claiming seniority on the basis of continuance length of service in the cadre of Sister Tutor.

4. Learned State counsel submits that the tentative seniority list in the cadre of Sister Tutor had already been issued and the objections have already been invited and the petitioner(s) and some other persons have already raised objections to the same and the same are under consideration.

5. On being asked as to why, the seniority list is not being finalized, learned State counsel, on the instructions from Mr. Satish Kumar, Assistant, O/o DGHS, submits that the said seniority list will be finalized within a period of six months from today by adopting the process as envisaged under law and after the finalization of the seniority, in case any action needs to be taken by the Department, the same will also be taken within a further period of eight weeks.

6. Learned counsel for the petitioner(s) submits that keeping in

view the statement of learned State counsel, the present petitions may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

8. It may be noticed that till the finalization of seniority, the interim order qua the reversion of the petitioner(s), passed by this Court, will remain in operation but after the finalization of the seniority, the Government will be free to implement the final seniority in accordance with law with the clear indication that in case the petitioner(s) are feeling aggrieved in any manner, they will have liberty to avail appropriate remedy.

9. It will be appreciated that in case any employee seeks personal hearing, the same will also be afforded so as to pass appropriate order qua the finalization of the seniority list.

July 27, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No