

2023:PHHC:138409
CWP-13230-2017(O&M)
Date of Decision: 30.10.2023

Rajinder Kaur and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. H.C. Arora, Advocate for the petitioners.

Mr. Vishnav Gandhi, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioners by way of this writ petition has prayed that they should be granted posting as several other selected candidates have already offered posting orders and have joined and are working since, January 2017, on the post of Social Studies Masters.

2. This Court while issuing notice of motion on 02.06.2017, had directed the respondents to take necessary steps for issuing posting orders to the petitioners at the earliest.

3. Learned State counsel informs that the petitioners have already joined. However, learned counsel appearing on behalf of the petitioners appears to be not satisfied and submits that several other candidates have joined earlier to the petitioners although they were lower in merit.

4. However, this Court is not in a position to examine the said contention as no one stated to be lesser meritorious than the petitioners has been impleaded as a party. Moreover, the petitioners have already joined

services in terms of the order passed by this Court dated 02.06.2017. The petitioners cannot be allowed to march over others who were appointed prior to them. In terms of the interim order dated 02.06.2017, since the petitioners have already joined the services and respondents were restrained from issuing appointment letters to the candidates, who were lower in merit to the present petitioners vide order dated 08.09.2017, no other relief can be granted to the petitioners. It is made clear that so far as the *inter se* seniority is concerned, the same shall be in accordance with the respective position of the petitioners in terms of their merit. However, no benefit can be granted to the petitioners of salary prior to their date of joining in the year 2017.

5. The writ petition virtually stands allowed in terms of interim order dated 02.06.2017, since the same has already been complied with.

6. Since, the petitioners have already joined services, this writ petition is disposed of making the interim order dated 02.06.2017, absolute.

7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

30.10.2023.

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No