

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

1. LPA-1887-2023 (O&M)

Satyawan Singh ...Appellant

Vs.

State of Haryana and ors. ...Respondents

2. LPA-1889-2023 (O&M)

Satyawan Singh ...Appellant

Vs.

State of Haryana and ors. ...Respondents

Date of decision: 30.11.2023

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Rajesh Gupta, Advocate,
Mr. Brijeshwar Vashisht, Advocate and
Mr. Shoryaveer Vashisht, Advocate
for the appellant (s)

Ms. Shruti Jain Goyal, Sr. DAG, Haryana

Ritu Bahri, Acting Chief Justice

1. This order shall dispose of the above Letters Patent Appeals whereby challenge is to judgment dated 13.09.2023 passed by the learned Single Bench of this Court whereby writ petitions (CWP No. 361-2010 and CWP No. 14887-2012) seeking quashing of seniority list of Assistant Treasury Officers and for removal of respondent No. 4-Umed Singh Malik from the post of Treasury Officer, were dismissed. However, for facility of reference, the facts are being taken from LPA No. 1887-2023.

2. One Umed Singh Malik raised the claim by filing CWP No.

3294-1989 seeking appointment to the post of Treasury Officer being next in the merit list. This writ petition was allowed on 17.05.1999 and a direction was given to the respondents to appoint him as Treasury Officer. In compliance of directions issued by this Court, he was appointed as Treasury Officer. Thereafter, the present appellant filed CWP No. 361-2010 seeking direction to the respondents to finalise the seniority list of Treasury Officer, in accordance with Service Rules and reservation policy. The appellant filed another CWP No. 14887-2012 seeking quashing of seniority list of Assistant Treasury Officers circulated vide order dated 06.03.2012.

3. The Learned Single Judge has dismissed both the writ petitions wherein it was noticed that Haryana Service Public Commission had advertised two posts of Treasury Officer and 18 posts of Assistant Treasury Officer in the year 1986 and selection process was undertaken in the year 1988. Against the above two posts, one Kumari Vijay Sangwan and Ram Kumari Bhoria were selected and against the post of Assistant Treasury Officer, various candidates including the writ petitioner/appellant and Umed Singh Malik were selected.

4. Learned counsel for the appellant has argued that Umed Singh Malik was wrongly appointed to the post of Treasury Officer, as on this post, one employee who was already working, had expired and this employee belonged to SC category.

5. Heard

6. The present appeals deserves to be dismissed, as the appellant had never challenged the appointment of Umed Singh Malik. Further Umed Singh Malik was appointed to the post of Treasury Officer as he filed a writ petition in the year 1989, which was allowed and the department, in

compliance of directions given by this Court, appointed him on the said post.

7. Learned counsel for the appellant has not be able to assist this Court that whether any person junior to him, had been promoted to the post of Treasury Officer. It has been rightly noticed by learned Single Judge that in the affidavit also filed by the appellant, pursuant to direction given by this Court, it has been conceded in the affidavit that no one over and above the appellant, has been given promotion. It has been further noticed by the learned Single Judge that even the respondents have retired from service since long and thus no directions can be given to the official respondents for framing of seniority list.

8. Since the appellant has not challenged the appointment of Umed Singh Malik, who was promoted way back in the year 1990, no ground is made out to interfere in the judgment passed by learned Single Judge.

9. Accordingly, the present appeals fail and the same are dismissed.

10. Since main appeals itself have been dismissed, all civil misc applications stand dismissed.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

30.11.2023
G Arora

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