

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289

CWP-29736-2022 (O&M)

Date of Decision: 14.12.2023

Jaspreet Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Harsh Chopra, Advocate
for the petitioners.

Mr. Ajit Singh Natt, AAG, Punjab.

Mr. Aminder Singh, Advocate
for respondents No.4, 6, 7 and 14.

VIKAS BAHL, J (ORAL)

CM-20787-CWP-2023

This is an application for pre-poning the date of hearing of the main petition to some early date, which is fixed for 15.01.2024.

For the reasons mentioned in the application, the same is allowed and the date of hearing of the main case is preponed to today itself.

CM stands disposed of.

Main Case

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for summoning and quashing the joint/combined final seniority list dated 25.05.2022 issued by the office of respondent No.2 qua the posts of Junior Engineer (Mechanical), Batch-2017 (Direct Recruitment) with a further

prayer for summoning and quashing the decision of the respondents whereby it has been decided to prepare a common seniority list for the posts of Junior Engineer (Mechanical) & Junior Engineer (Electrical) of the Batch-2017 (Direct Recruitment). Further prayer has been made for directing the respondents to prepare a separate seniority list for the posts of Junior Engineers (Electrical) for the batch of 2017 (Direct Recruitment).

2. Learned State counsel as well as learned counsel for the private respondents have submitted that in the present case, the primary grievances of the petitioners have been met inasmuch as in the reply dated 29.03.2023, it has been stated by the State that as per the decision, a separate seniority list of the Junior Engineers (Civil, Mechanical and Electrical) has been prepared and a provisional seniority list has already been issued to all the concerned officers of the department and objections have been invited. He further submitted that the seniority list has already been finalized and thus, the present petition has been rendered infructuous and the same be disposed of as such.

3. Learned counsel for the petitioners has submitted that although in view of the above said facts and circumstances, the present petition has been rendered infructuous but has pointed out that subsequent to the filing of the reply in the present writ petition by the State, the respondents have framed new rules i.e. Water Resources Department (Engineering) Group 'A' Service Rules, 2023, which are prejudicial to the rights of the petitioners and prayed that the disposal of the present writ petition as having been rendered infructuous should not be construed as an estoppel against the petitioners to challenge the said rules or any action taken in pursuance of the said rules.

4. Keeping in view the above facts and circumstances of the case, the present petition is disposed of as having been rendered infructuous.

5. Needless to say that the dismissal of the present writ petition as having been rendered infructuous, would not be construed as an estoppel against the petitioners from challenging the subsequent rules, in accordance with law, framed by the respondents or any action taken in pursuance of the same.

14.12.2023
D.Bansal

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No