

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

CWP-247-2023

Date of decision : 12.04.2023

Parmjot Kaur

....Petitioner

Versus

PSPCL and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Nitin Sharma, Advocate
for the petitioner.

Mr. Simrandeep S. Sandhu, Advocate
for the respondents.

PANKAJ JAIN, J. (ORAL)

On 9th of January, 2023 while issuing notice of motion this

Court passed the following order :

“Ld. Counsel for the petitioner *inter alia* contends that the petitioner has been working as an Accounts Officer wherein she was appointed by way of regular promotion since 10th of May, 2016. Direct recruitments were made to the cadre of Accounts Officers much thereafter on 13rd of October, 2016. Thus, it can be axiomatically said that the petitioner is working as Accounts Officer from the day much prior to the respondents were even borne on the cadre. He, thus, contends that the impugned seniority list whereby the direct recruits have been shown to be senior to the petitioner cannot be sustained.

Issue notice of motion returnable for 12th April, 2023.

Mr. Simrandeep S. Sandhu, Advocate appears and accepts notice on behalf of the official respondents and prays for time to seek instructions.”

Today Mr. Sandhu, Advocate appearing for the respondents-

Corporation submits that the seniority list has not been finalised as yet by the Corporation and is still tentative. Repeated tentative lists are being circulated inviting objections from the aggrieved personnel. However, instead of filing objection to the tentative list, present writ petition has been filed. He however very fairly submits that the grievance raised by the petitioner would be taken into consideration while finalizing the seniority list.

On this counsel for the petitioner joins issue and submits that on one hand the stand of the Corporation is that the seniority list has not attained finality and on the other hand the same is being given effect to by promoting persons as per the said so called tentative seniority list.

I have heard counsel for the parties and have gone through records of the case.

In the considered opinion of this Court, once the Corporation has taken a positive stand and has suffered a statement to the effect that the grievance raised by the petitioner shall be taken care of, it also includes the claim of the petitioner for promotional post.

In view of the aforesaid, the instant writ petition is disposed off with the direction the respondent-Corporation to consider the claim of the petitioner w.r.t. the seniority in the cadre of Accounts Officers and her consequential claim to be considered for the promotional post.

In case the Corporation finds that the petitioner is entitled for seniority as claimed by her definitely she will be entitled for the

consequential relief of promotional post from the date persons junior to her or at par have been promoted.

The necessary exercise be given effect to within a period of eight weeks from the date of receipt of certified copy of this Court.

Needless to say in case the respondent-Corporation finds that the claim of the petitioner needs to be rejected the same shall be adjudicated by passing a speaking order that too after affording opportunity of personal hearing to the petitioner within time period stipulated hereinabove.

April 12, 2023
Dpr

(PANKAJ JAIN)
JUDGE

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