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

CWP-28397-2023 (O&M)
Date of Decision: 18.12.2023

Kamaljit Singh

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

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

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this writ petition claims seniority over respondent No.3 stating that the petitioner joined prior to the respondent No.3, and therefore he should be placed senior over and above respondent No.3.
2. It is an admitted position that the seniority list was finalized based on a merit list published by the Punjab Public Service Commission. The merit list of 1997 reflected the petitioner to be lower than that of respondent No.3. Accordingly, in the seniority list, Dr. Sham Singh/respondent No.3 was shown at No.957 while the petitioner was shown at No.958. Accordingly, further promotion to the post of Assistant Directors was made, and the petitioner was placed below respondent No.3 in the promotion list.
3. In these circumstances, the placement of respondent No.3 over and above the petitioner in the tentative seniority list of Senior Veterinary Officers has been made, which was challenged by the petitioner before

this Court. This Court directed the respondents to consider the representation.

- 4. Having noticed the facts of the case as above, the State has rejected the claim of the petitioner, whereafter the present petition has been filed.
- 5. This Court finds that the seniority under the cadre of Assistant Veterinary Officers reflects the inter se seniority in the Senior Veterinary Officers. Therefore in both the categories, the inter se seniority remains the same.
- 6. Since the challenge to the original seniority list has not been made. It cannot be made now after a period of almost 25 years, no case for interference in the seniority list of Senior Veterinary Officers would be required. Merely because of date of joining, the petitioner cannot claim seniority over respondent No.3, after a period of 25 years.
- 7. Writ Petition is dismissed on the ground of laches and on merits.

(SANJEEV PRAKASH SHARMA)
JUDGE

December 18, 2023

Mohit goyal

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