

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

112

CWP-1137-2024

Date of Decision :19.01.2024

Bijender Singh**...Petitioner****Versus****State of Haryana and others****....Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner argues that despite the fact that petitioner was given benefit of seniority in the cadre of clerk from the year 2017 vide order dated 24.01.2019 (Annexure P-4A) but while finalizing the seniority list, copy of which has been appended as Annexure P/8 with the present petition, the petitioner has been given seniority from the year 2018, which is incorrect.

2. Learned counsel for the petitioner submits that in case order dated 24.01.2019 (Annexure P/4-A) is implemented, the petitioner will rank senior to the private respondents in the cadre of Superintendent.

3. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of submitting a representation dated 27.01.2023 (Annexure P/9), which is still pending consideration with the respondents and the petitioner will be

satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation.

3. Notice of motion.

4. Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case the representation dated 27.01.2023 (Annexure P/9) has been received from the petitioner and is still pending consideration with the respondents, the same will be decided by the respondents in accordance with law and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order

5. It may be noticed that in case any change in the seniority is affected keeping in view the outcome of the representation, the private respondents whose seniority is likely to be affected, should be given hearing before passing an appropriate order on the representation.

5. Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

January 19, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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