

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

2024:PHHC:008337
CWP-1502-2024
Date of Decision: 23.01.2024

Kamaldeep

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Sher Singh, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this writ petition prays for grant of seniority and consequential stepping up of pay equal to the person who was appointed on the post of Librarian and was lower in merit in the selection conducted where the petitioner was denied appointment.
2. This Court finds that the petitioner had challenged his wrongful denial of appointment earlier by way of CWP-9398-2016 and this Court partly allowed the writ petition while holding the action of the respondents in denying appointment to the petitioner to be wrongful, protected the selected candidates and passed an order directing the petitioner to be appointed against a vacancy available without causing prejudice to the selected candidates.
3. The petitioner accepted the order and was appointed afresh vide order dated 19.05.2017.
4. Admittedly, the other selected candidates were appointed on 07.02.2015 and as the Court did not give retrospective benefit to the

petitioner i.e. from the date other selected candidates have been appointed and the appointment was a fresh appointment, the petitioner cannot claim seniority over and above those who were appointed in the year 2015. The Court also specifically held that there will be no prejudice to the selected candidates.

5. In view thereof, claim of the petitioner for stepping up of his pay equal to the selected candidate who was appointed earlier though lower in merit, is not made out. No writ petition could be filed for the said purpose.
6. The writ petition is devoid of merit and is accordingly dismissed.
7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

23.01.2024
rajesh

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