



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

205

**CWP-4370-1999 (O&M)
Date of Decision : 12.08.2024**

Iqbal Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vipin Mahajan, Advocate, and
Ms. Tejinder Kaur, Advocate,
for the petitioner.

Mr. T.P.S. Chawla, Sr. DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the challenge is to the seniority list which was issued by the respondents, in the cadre of Superintendent Grade -II.

2. Learned counsel for the petitioner submits that the petitioner should have been given seniority, keeping in view the initial date of appointment and persons at Sr. No.s 1, 2, 3 & 4 in the seniority list (Annexure P-4) were appointed after him, the petitioner should be treated senior to them.



3. Learned counsel for the respondent-State submits that the employees in the cadre of Superintendent Grade -II have been promoted keeping in view the date of promotion of the employee concerned, and as all the employees, including the persons at Sr. Nos. 1, 2, 3 & 4 in the seniority list (Annexure P-4), were promoted to the post Superintendent Grade -II prior to the petitioner, therefore, no grievance can be raised by him.

4. I have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. It may be noticed that the seniority has been challenged by the petitioner after his retirement. After the master and servant's relationship comes to an end, the seniority issue cannot be raised by an employee so as to claim retrospective benefits.

6. Even otherwise, in the present case, all the persons at Sr. Nos. 1, 2, 3 & 4 in the seniority list, were promoted to the post of Superintendent Grade -II prior to the petitioner. The seniority is to be maintained in the cadre of Superintendent Grade -II. Learned counsel for the petitioner concedes the fact that there is no challenge to the promotion of the persons at Sr. Nos. 1, 2, 3 & 4, in the seniority list, to the post of Superintendent Grade-II in preference to the petitioner. That being so, the seniority is to be framed on the basis of the continuous length of service in the cadre of Superintendent Grade -II which service is more of the persons at Sr. Nos. 1, 2, 3 & 4, in the seniority list, as compared to the petitioner.

7. Keeping in view the said fact, the petitioner cannot be treated senior to the persons at Sr. Nos. 1, 2, 3 & 4, in the seniority list, in the cadre



of Superintendent Grade-II merely on the ground that initial appointment of the petitioner as a Clerk was on a date prior to that of the persons at Sr. Nos. 1, 2, 3 & 4, in the seniority list. No other argument has been raised.

8. Keeping in view the above, no ground is made out for any interference by this Court in the present petition.

9. Dismissed.

10. All pending applications, if any, stand disposed of accordingly.

12.08.2024

Satyawan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No