

2024:PHHC:032502
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

124 CWP-5380-2024 (O&M)
Date of decision: 06.03.2024

Kanwaljeet Kaur ..Petitioner

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Hitesh Pandit, Advocate for the petitioner.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari for quashing of a seniority list dated 11.02.2022.
2. Learned counsel would contend that the petitioner who had joined service on 14.07.1995 as Lecturer in Sanskrit, pursuant to advertisement dated 27.11.1993, was shown senior in the tentative seniority list that was issued on 31.12.2021. However, in the final seniority list that was issued on 11.02.2022 (Annexure P7), she was shown junior to the private respondents who had joined service pursuant to a subsequent selection process. Rule 12 of the Punjab Education (College Cadre) Class-II Services Rules, 1996, has not been taken into consideration. In this regard, representations have been submitted on 28.06.2023 and 04.09.2023 (Annexures P11 and P12), which have yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.
3. Notice of motion.
4. At the asking of the Court, Mr. Satnam Preet Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents

to decide the representation dated 04.09.2023, Annexure P12, taking into account the pleas of the petitioners raised therein and as noticed hereinabove including Rule 12 ibid, within a period of 8 weeks and if found entitled, necessary benefit be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating her therewith.

06.03.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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