

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

(218)**CWP-17700-2015****Date of Decision: 12.02.2024**

Jaswant Singh

.....Petitioner

Versus

Punjab State Power Corporation Ltd & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Varinder Shukla, Advocate, for the petitioner.

Mr. Mukul Aggarwal, Advocate, for the respondents.

NAMIT KUMAR, J.(ORAL)

1. The instant petition has been filed by the petitioner impugning the order dated 11.11.2014 (Annexure P-4) whereby, his claim for removal of anomaly in his pay at par with Engineer Rajwinder Singh has been rejected. Further a writ of Mandamus has been sought seeking deemed date of seniority as granted to Engineer Rajwinder Singh.

2. It has been pointed out by the learned counsel for the respondents that earlier the petitioner was claiming parity with Engineer Purandeep Singh and his claim for grant of deemed seniority at par with Engineer Purandeep Singh was rejected vide orders dated 12.10.2009 and 24.12.2010 (Annexure R-1 and Annexure R-2). He submits that the said orders have never been questioned by the petitioner and the petitioner is claiming deemed seniority w.e.f. 08.11.1996 by approaching this Court in the year 2015. He further submits that in pursuance to the directions issued by this Court in **CWP No.13609 of 2003** titled **Mukesh Kumar Puri and others Vs. Punjab State Electricity Board** and **CWP No.19008 of 2004** titled **Satish Kumar Sharma**

Vs. Punjab State Electricity Board and others, the seniority list of Assistant Executive Engineers as on 31.12.1999 was recasted after seeking objections from the effected employees however, no such objection was ever raised by the petitioner and final seniority list was issued on 16.02.2006 and the seniority of the petitioner was fixed at Sr. No.878. Learned counsel for the respondents submits that the present writ petition is also liable to be dismissed on the ground of delay and laches. He further submits that petitioner has already retired from service, therefore, the claim of the deemed seniority has become infructuous.

3. Since there is inordinate delay in approaching the Court and the fact that petitioner has already retired from his service, therefore, the issue has become academic and further the orders dated 12.10.2009 and 24.12.2010 (Annexures R-1 and R-2 respectively) have never been questioned by the petitioner, therefore, no relief can be granted at this stage.

4. In view of the above, the present writ petition is, accordingly, disposed of.

5. Pending applications, if any, shall stand disposed of.

(NAMIT KUMAR)
JUDGE

12.02.2024
anil

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