



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 235)

(1) CWP-21193-2018 (O&M)
Date of Decision : 04.09.2024

Ravel Singh and another
...Petitioners

Versus

State of Punjab and others
...Respondents

(2) CWP-35232-2019 (O&M)

Kartar Chand
...Petitioner

Versus

State of Punjab and others
...Respondents

(3) CWP-33269-2019 (O&M)

Ravel Singh and another
...Petitioners

Versus

State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nand Lal Sammi, Advocate for the petitioners.
Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.



Harsimran Singh Sethi J. (Oral)

1. By this common order, three writ petitions, the details of which have been given in the heading, are being decided as all these petitions involve the same question of law on similar facts.

2. In the present petitions, the grievance being raised by the petitioners is that private respondents are junior to them but still, they have been preferred over and above the petitioners to grant them the promotion to the post of Senior Medical Laboratory Technician, hence, respondents are liable to be directed to grant the petitioners the benefit of promotion with effect from the date persons junior to the petitioners were promoted i.e. 06.01.2017.

3. Upon notice of motion, the respondents have filed the reply, wherein the respondents have stated that the claim that the private respondents are junior to the petitioners, is incorrect. It has been mentioned that the petitioners were initially appointed in the Department of Health and Family Welfare, Punjab whereas, the private respondents were the employees of the Department of Medical Education and Research, Punjab, which are two different departments and while working in the department of Health and Family Welfare, the petitioners sought their transfer to the Department of Medical Education and Research to be posted at Medical College, Amritsar, wherein, they had submitted the affidavit that the petitioners will not claim any benefit of the service earlier rendered by them in the department of Health and Family Welfare, hence, the petitioners seniority can be counted in the Department of Medical Education and Research only from the date they



were transferred to the said Department, hence, keeping in view the said date, the private respondents were senior to the petitioners and have rightly been promoted before the petitioners. The respondents are further on record to say that even as per the seniority, which is in operation, the petitioners have been shown junior to the private respondents.

4. There is no replication to the written statement.

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

6. The claim of the petitioners to seek seniority over the private respondents is only by asserting that the earlier service rendered in the Department of Health and Family Welfare, Punjab should be taken into account. The said argument cannot be accepted. Once, there are two different departments, one the Health and Family Welfare, Punjab and the second one the Medical Education and Research, the period spent by the petitioners in the Department of Health and Family Welfare, Punjab cannot be taken into account to compute their seniority in the other department of Medical Education and Research.

7. Further, the petitioners had already given undertaking at the time of seeking their transfer from the Department of Health and Family Welfare, Punjab to the Department of Medical Education and Research that they will not claim any benefit of their service rendered in the Department of Health and Family Welfare, Punjab.

8. That being the factual position, now going back on their own



statement to claim the benefit of service rendered in the department of Health and Family Welfare is not admissible.

9. Keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present petitions.

10. Dismissed.

11. Pending miscellaneous application, if any, also stands disposed of.

12. A photocopy of this order be placed on the file of connected cases.

September 04, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No