



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CWP-7496-2017

Date of decision: 26.11.2024

Harpal Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Lalit Rishi, Advocate, for
Mr. K.K. Garg, Advocate
for the petitioners.

Mr. Swapan Shorey, DAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

1. In the present petition, the grievance being raised by the petitioners is that the respondents have issued a seniority list in the cadre of Head Warders, which is arbitrary and illegal, as the benefit of ad-hoc service has been given to a large number of Warders, which has been reflected in the seniority of Head Warders also, which is arbitrary and illegal.

2. Learned counsel for the petitioners submits that the seniority in the cadre of Warders is to be fixed keeping in view the regular appointment of the said Warders and thereafter, the date on which the said Warders became entitled for promotion to the post of Head Warder.

3. Learned counsel for the petitioner places reliance upon the order passed by this Court in **CWP-25681-2024**, decided on 04.10.2024,



titled '*Harminster Singh Vs. State of Punjab and others*', wherein, the withdrawal of seniority of the ad-hoc period, has been upheld.

4. Learned State counsel, conceded the factum that keeping in view the order passed by this Court in the case of Harminster Singh (supra), the benefit of ad-hoc service cannot be given towards seniority.

5. Though, the private respondents have been served but, no one is appearing on their behalf and they have already been proceeded against *ex parte*, vide order dated 05.07.2018 passed by the Co-ordinate Bench.

6. Keeping in view the above, a seniority list issued by the respondents is set aside to the extent of granting benefit of ad-hoc service in favour of the private respondent. The respondents are directed to grant the seniority to an employee from the date of his/her regular appointment by ignoring the ad-hoc service rendered.

7. Let the order be complied with within a period of eight weeks from the date of receipt of a certified copy of this order. Any benefit given to the private respondents on the basis of impugned seniority list, be also re-considered in the light of the fact that the benefit of ad-hoc service cannot be granted towards seniority.

8. With these observations, the present petition is allowed.

(HARSIMRAN SINGH SETHI)
JUDGE

26.11.2024
D.Bansal

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No