



CWP-29658-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(120)

CWP-29658-2024
Date of Decision : November 14, 2024

Kewal Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ranjivan Singh, Advocate, for the petitioner.

Mr. T.P.S. Chawla, Sr. Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that without finalizing the seniority in the cadre of Multipurpose Health Supervisor (Male), the promotions are being made to the post of Assistant Malaria Officer, which is causing prejudice to the petitioner.

2. Learned counsel for the petitioner submits that in the provisional seniority list, which is being taken into consideration for effecting promotion to the post of Assistant Malaria Officer, the name of the petitioner at Sr. No.182 whereas, keeping in view the objections raised, the name of the petitioner should have been incorporated at Sr. No.62.

3. Learned counsel for the petitioner further submits that the details of the 62 candidates have already been called for consideration of their names against 22 posts to be filled up in the cadre of Assistant Malaria Officer.

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4. Keeping in view the service of advance copy of petition, Mr. T.P.S. Chawla, learned Sr. Deputy Advocate General, Punjab has put in appearance on behalf of the respondents and on the instructions from Mr. Jasvir Singh, Senior Assistant, Department of Health and Family Welfare, Punjab, he submits that even if, for the sake of arguments, the name of the petitioner is brought at Sr. No.62 in the seniority list in the cadre of Multipurpose Health Supervisor (Male), then also, as only 22 posts are to be filled up, there are enough senior candidates to the petitioner, who will claim the said posts.

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

6. Keeping in view the fact that only 22 posts of the Assistant Malaria Officer are to be filled up by promotion and even if, the plea of the petitioner that his name in the cadre of Multipurpose Health Supervisor (Male) should be at Sr. No.62 in the seniority list, then also, the petitioner will not be able to make up the grade as there are enough senior employees in the cadre of Assistant Malaria Officer working to get promotions on the basis of their seniority and service record as only 22 posts are to be filled up.

7. In case, any candidate beyond Sr. No. 62 in the previous seniority is to be considered for promotion, then the name of the petitioner should also be considered provisionally subject to the finalization of the seniority list.

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8. The present writ petition is disposed of in above terms.

November 14, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No