



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-33739-2024

Date of decision : 13.12.2024

GURJEET SINGH AND OTHERS

..... Petitioners

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Simranjeet Singh Sarwara, Advocate
for the petitioners.

Mr. Amarpreet Singh Bains, AAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

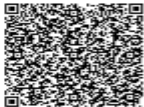
In the present petition, the petitioners are challenging the order dated 31.07.2024 (Annexure P-16) by which, the current duty charge given to them on the post Naib Tehsildar has been ordered to be reverted.

2. Learned counsel submits that the petitioners are entitled to continue with the charge on the post of Naib Tehsildar rather than being reverted as a Senior Assistant. Learned counsel further submits that the benefit has wrongly been withdrawn.

3. Notice of motion.

4. Mr. Amarpreet Singh Bains, AAG, Punjab keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State and submits that the bare perusal of the impugned order would show that this Court directed that once a regular selection has been made, the charge given to the employees against the direct quota post should be withdrawn and in case anybody is to be allowed to be given the charge of the

post of Naib Tehsildar, the same should be based on seniority and that is



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why, since the petitioners are the junior most, charge given to them on the post of Naib Tehsildar has been withdrawn and that too as far back as on 31.07.2024 and the petitioners are already working on the post of Senior Assistant for the last about 4 ½ months.

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

6. The charge of the post of Naib Tehsildar given to the petitioners have been withdrawn, keeping in view the fact that the posts of Naib Tehsildar have already been filled by way of direct recruitment. On the vacant posts, the charge has been given on the basis of the seniority. The petitioners are lower in seniority. It is not a case that anyone junior to the petitioners is enjoying the post of Niab Tehsildar on current duty charge.

7. That being so, once no employee junior to the petitioners is working on current duty charge on the post of Naib Tehsildar, the petitioners cannot claim the grant of current duty charge as a matter of right. Even the promotion, cannot be claimed as a matter of right hence, the claim of current duty charge without their being any valid justification, cannot be claimed.

8. Keeping in view the above, no ground for interference by this Court is made out and present writ petition is accordingly dismissed.

9. Civil miscellaneous application pending, if any is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

13.12.2024
Rimpal

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No