



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

Date of Decision: 07.07.2025

1. CWP-17312-2021 (O&M)

Shiv Muni And Others

...Petitioners

Vs.

State of Haryana and Others

...Respondents

2. CWP-30944-2024

Santosh Kumari and Another

...Petitioners

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.S. Mamli, Advocate for the petitioners.

Ms. Palika Monga, DAG, Haryana.

Mr. Rajvir Singh Sihag, Advocate
for respondent No.2 in **CWP-17312-2021**,

Mr. Navmohit Singh, Advocate
for respondents No.15 and 27 in **CWP-17312-2021**.

JAGMOHAN BANSAL, J. (ORAL)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from **CWP-17312-2021**.

2. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of seniority list dated 01.08.2021 and further direction to respondent to promote them prior to private respondents.

3. The petitioners belonged to SC category. They joined service during 1990 or 1996. The private respondents joined service during 1988 or 1990. The petitioners came to be promoted out of turn on the ground of reservation meant for SC candidates. They came to be promoted to higher post in 2012 or 2015 whereas private respondents came to be promoted in 2015. The petitioners are claiming that they are entitled to further promotion prior to respondents on the ground that they were promoted prior to private respondents.

4. Learned counsel for the respondents submit that as per applicable service rules as well as judgment of Supreme Court, at the time of further promotion, the date of previous promotion is not considered whereas date of joining in the cadre is considered.

5. There is no order passed by Competent Authority with respect to claim of petitioners. The petitioners are further claiming that as per instructions issued by State Government, they are entitled to further promotion prior to private respondents. The disputed questions of fact and law are involved which need to be adjudicated at the first instance by the departmental authority. Accordingly, the petitions stand *disposed of* with a direction to respondent No.2 to consider claim of petitioners in accordance with law. Let the needful be done within three months from today.

6. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

07.07.2025
Prince Chawla

Whether Speaking/reasoned: Yes/No
Whether Reportable: Yes/No