



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

CWP-15130-2025 (O&M)

Date of Decision: 21st July, 2025

UNION TERRITORY CHANDIGARH ADMINISTRATION AND OTHERS

.....Petitioner(s)

V/s.

SATISH KUMAR AND OTHERS

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present Mr.Aman Bahri, Addl. Standing Counsel,
 and Ms. Shubreet Kaur, Junior Panel Counsel,
 for the petitioners-U.T., Chandigarh.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Pursuant to the order passed by this Court on the previous occasion, the concerned Clerk/Dealing Assistant has submitted an unconditional apology. We accept the same and expect him to be more careful in future.

2. This Writ Petition is directed against order dated 30.01.2025 passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as “the Tribunal”) in OA No.204 of 2021 whereby the Tribunal has interfered with the revision of seniority made for the Constables in 2020.

3. The Tribunal has noticed the facts of the case according to which the original seniority was settled way back in 1988. The Tribunal has come to the conclusion that after 32 years, the employer would not be justified in re-opening the issue of seniority so as to unsettle the service prospects of others, who in between have been promoted and many of them have retired.



4. Learned counsel for the petitioners states that even the original seniority list drawn in the year 1988 was not in accordance with the Rules.

5. Be that as it may, we are not persuaded to interfere with the impugned judgment of the Tribunal in view of the well settled law in the case of Shiba Shankar Mohapatra and Others Vs. State of Orissa and Others; 2010(12) SCC 471 that long standing seniority ought not to be interfered with. The relevant extract of the judgment of the Supreme Court is reproduced as under:-

“29. Thus, in view of the above, the settled legal proposition that emerges is that once the seniority had been fixed and it remains in existence for a reasonable period, any challenge to the same should not be entertained. In K.R. Mudgal (supra), this Court has laid down, in crystal clear words that a seniority list which remains in existence for 3 to 4 years unchallenged, should not be disturbed. Thus, 3-4 years is a reasonable period for challenging the seniority and in case someone agitates the issue of seniority beyond this period, he has to explain the delay and laches in approaching the adjudicatory forum, by furnishing satisfactory explanation.”

6. In view of the aforesaid, the usual period for examination of such issue is 3 to 4 years but a period of 32 years would be too much of a delay to be condoned. The Tribunal has correctly interfered with the action of the petitioners in unsettling such a long standing seniority.

7. Therefore, we find no force in the present Writ Petition and the same is accordingly dismissed.



8. All pending applications, if any, in this case are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[KULDEEP TIWARI]
JUDGE

July 21, 2025
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>