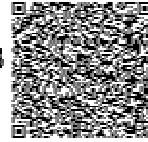


2025:PHHC:064638-DB

CWP-26852-2015 (O&M)
Date of Decision: 15.05.2025

Mahesh Chander Sharma

...Petitioner

Vs.

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. P.M. Kansal, Advocate for the petitioner.

Mr. Karan Bhardwaj, Advocate for UOI.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. We find that by afflux of time, the writ petition has been rendered infructuous and otiose. The petitioner had preferred OA before the Central Administrative Tribunal seeking revision of seniority list whereby the respondents were placed over and above him. The Tribunal vide its order dated 15.09.2014, held that the seniority of Steno Grade-III be maintained at Commands level while that of Steno Grade-II be maintained at All India Level and the same is also as per the date of joining. Thus, unsettling the seniority list, which has been evoked in terms of DOPTs guidelines of 1986, since long back, would result in lot of complications.

2. We find that the view taken by the Tribunal does not warrant any interference as it is settled law that the seniority list which has already been determined and is operative since long ought not be disturbed as the same would create administrative chaos. The Hon'ble Supreme Court of

India in the case of **D.P. Sharma and others v. Union of India and another, 1989 (Suppl.) SCC 244**, held as under:-

“These considerations apply equally to the present case as well.

The general rule is if seniority is to be regulated in a particular manner in a given period, it shall be given effect to, and shall not be varied to disadvantage retrospectively. The view taken by the Division Bench, which is in substance contrary to this principle is not sound and cannot be supported.”

3. More so, we find that the petitioner must have already attained the age of superannuation as he was 50 years in the year 2014, when he filed the OA.

4. In view thereto, the writ petition is dismissed accordingly.

5. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

15.05.2025

rajesh

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No