



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

113

CWP-19910-2025 (O&M)
Date of decision: 10.09.2025

Abhishek

....Petitioner

Versus

Haryana Vidyut Prasaran Nigam Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Divyam Singh Dhakla, Advocate
for the petitioner.

Mr. R.K. Chaudhary, Advocate
for Mr. Sukhdeep Singh Parmar, Advocate
for the respondents.

HARPREET SINGH BRAR J. (Oral)

CM-13135-CWP-2025

Prayer in the instant application filed under Section 151 of CPC is for placing on record affidavit on behalf of respondents No.1 and 2 along with documents as Annexure R-1/1 to R-1/5.

Allowed as prayed for subject to all just exceptions.

CWP-19910-2025

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for setting-aside the order dated 25.02.2025 (Annexure P-10) vide which the request of the petitioner for resolving pay parity and granting of deemed date of joining has been rejected. Further a writ of *mandamus* has been sought, directing the respondents to grant the pay



parity and deemed date of joining to the petitioner in view of application dated 13.01.2025 (Annexure P-9) submitted by the petitioner with the respondents.

2. On 17.07.2025, the following order was passed by this Court:-

“XX XX XX XX

2. The petitioner pursuant to advertisement dated 04.12.2020 (Annexure P-1) applied for the post of Assistant Engineer (Electrical) under EWS Category. He scored 58.4 marks out of 100. He was not selected. One unselected candidate namely Neeraj Sharma and petitioner filed CWP Nos. 2980 of 2021 and 4736 of 2021 respectively. The writ petitions came to be adjudicated vide judgment dated 01.06.2022 (Annexure P-2) passed by this Court. Petition of Neeraj Sharma was dismissed and present petitioner was allowed. The operative portion of judgment dated 01.06.2022 is reproduced as below:

“12. In the result, I do not find any infirmity in rejecting the candidature of the petitioner-Neeraj Sharma. He has rightly been considered on the basis of the second and the latest application. The petitioner Abhishek has obtained more marks and his name is last in the merit list of Assistant Engineer (Electrical) in EWS category. The respondents are directed to issue appointment letter to Abhishek within a period of one month of the receipt of certified copy of this order. 13. Consequently, the CWP No.2980 of 2021 preferred by Neeraj Sharma is dismissed while the CWP No.4736 of 2021 preferred by Abhishek stands allowed.”



3. The respondent in compliance of aforesaid judgment issued appointment letter dated 15.09.2022. The candidates who were not part of litigation were permitted to join on 16.03.2021 whereas petitioner joined in September' 2022. He preferred representation to respondent seeking pay parity with candidates who had joined on 16.03.2021. The respondent by impugned order dated 25.02.2025 (Annexure P-10) has rejected his request on the ground that this Court while allowing his petition had directed to issue appointment letter within one month of receipt of certified copy of the order. There was no direction to treat his appointment from the date other candidates joined.

4. Learned counsel for the respondent seeks time to ascertain whether petitioner's name figured in the original select list or he was appointed only on account of orders of this Court.

5. Adjourned to 21.07.2025."

3. Learned counsel for the petitioner refers to the revised tentative seniority list (Annexure P-8), circulated by Uttar Haryana Bijli Vitran Nigam Limited on 25.07.2024 and submits that the petitioner is placed at Serial No.482 whereas one Mohit Yadav, who is at Serial No.483 and is below the petitioner, has been given deemed date of joining as 16.03.2021. As such the claim of the petitioner cannot be denied once the person, who is placed below the petitioner in the revised tentative seniority list has been given deemed date of joining and therefore, the petitioner is also entitled to the same benefit. Learned counsel for the petitioner further submits that the petitioner would not



claim any arrears and he confines his prayer only to the extent of pay protection and seniority in accordance with law.

4. Learned counsel for the respondents is not in a position to controvert the fact that Mohit Yadav, who has been given deemed date of joining on 16.03.2021 is at Serial No.483 whereas the petitioner is placed at Serial No.482.

5. In view of the above, the present writ petition is disposed of with a direction to the respondent No.2 to grant the petitioner notional benefits of seniority and pay protection with effect from the same date as extended to Mohit Yadav, who is placed immediately below the petitioner at Serial No.483 in the revised tentative seniority list dated 25.07.2024 (Annexure P-8). Since the petitioner has expressly waived his claim for arrears, the benefits shall be limited to seniority and pay protection only, in accordance with law. Let the needful be done expeditiously, preferably within a period of two months from the date of receipt of a certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

10.09.2025
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No