



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

**IOIN-LPA-1371-2017 in/and
LPA-1371-2017
Date of Decision: 17.09.2025**

KAVITA RANI

... APPELLANT

VS.

**HARYANA SEEDS DEVELOPMENT CORPORATION LTD, AND
OTHERS**

.. RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. R.K.Malik, Senior Advocate with
Mr. Varun Veer Chauhan, Advocate,
for the appellant.

Mr. D.K.Singal, Advocate,
for respondent No.1.

Mr. Puneet Gupta, Additional Advocate General, Haryana.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. This appeal arises out of an order dated 07.03.2017 passed by the learned Single Judge, whereby the writ petition filed by the appellant came to be dismissed.

2. Undisputed facts that emerge on record are that the appellant was appointed in a substantive capacity on 05.10.1984. The private respondents were appointed on different dates on ad hoc basis in the years 1983 and 1984. It is undisputed that, at the time when the appellant was appointed, the private respondents were working on ad hoc basis. The services of the private respondents came to be regularized vide order dated 09.10.1985. By this order, the benefit of regularization was granted to the private respondents from the date of their initial ad hoc appointment. This order dated 09.10.1985 was never challenged. A consequential seniority list

was also published in the year 1988, showing the private respondents as senior to the appellant. The seniority list of 1988 was also not challenged.

3. It was only in the year 1995 that, for the first time, a representation came to be made by the appellant, questioning the placement of private respondents above her in the seniority list on the ground that the date of their appointment ought to be treated from the date they were regularized in service. This representation of the appellant found favour with the authorities, and an order came to be passed on 09.08.1995. A provisional seniority list was also published. However, by a subsequent order dated 17.04.1997 impugned in the writ petition, the authorities withdrew the order dated 09.08.1995 and reiterated the earlier seniority list published on 05.08.1988.

4. Aggrieved by the order dated 17.04.1997, the appellant preferred the writ petition, which has since been dismissed by the learned Single Judge.

5. Thus, aggrieved, the appellant is before this Court in the present appeal.

6. Learned counsel for the appellant argues that since the private respondents were appointed on ad hoc basis, their entry into service ought to be reckoned from the date of regularization, and the grant of benefit of regular service from the date of initial ad hoc appointment was absolutely arbitrary. It is further contended that the order dated 09.08.1995 was rightly passed by the competent authority and the decision of the employer in reviewing such order, by the impugned order, was impermissible.

7. Learned counsel for the respondent(s), on the other hand, submits that neither the initial order of regularization in favour of the

private respondents was challenged, nor the stipulation therein that such regularization would be from the date of ad hoc appointment was questioned. The consequential seniority list of the year 1988 was also not assailed. In such circumstances, it is argued that neither any representation could have been entertained in the year 1995, nor the seniority list published in the year 1988 could have been reopened, in view of the settled principle that long-standing seniority is not required to be disturbed.

8. From the material placed on record, we find that although the appellant was substantively inducted into service previously in the year 1984, but by way of specific orders passed in the year 1985 in favour of the private respondents, they were regularized w.e.f. the date of their initial ad hoc appointment. Though, we find some substance in the appellant's contention that such order should not have been passed, as ordinarily the order of regularization would be effected only from the date of such order, but, this, in itself would not tilt the decision of the Court in favour of the appellant. The reason is quite obvious. The order dated 09.10.1985, by which regularization was granted from the date of initial ad hoc appointment in the years 1983 and 1984, was never challenged. What is further apparent on record is that the resultant seniority list was also declared way back in the year 1988. The appellant neither challenged the order dated 09.08.1995 nor questioned the seniority list of the year 1988. The appellant, therefore, clearly acquiesced to the determination of seniority list as published in the year 1988.

9. Once that is the position, a subsequent challenge made after nearly seven years from the publication of the seniority list, by way of a

mere representation, was grossly barred by laches and could not have been entertained.

10. It is well settled in law that long-standing seniority should not be disturbed. Ordinarily, a period of 3-4 years would be the reasonable time within which the seniority could be challenged. (See:- *Shiba Shankar Mohapatra and ors Vs. State of Orissa and others, 2010 (12) SCC 471*).

11. In view of the fact that the specific orders granting regularization from an earlier date were not challenged, and the consequential seniority list published in the year 1988 was also appealed against by the appellant, the subsequent challenge and the consequential order passed in favour of the appellant was clearly contrary to the settled legal principles.

12. In such view of the matter, the decision of the employer to recall the order dated 09.08.1995 warranted no interference. The dismissal of the writ petition by the learned Single Judge, therefore, requires no interference.

13. The appeal is, accordingly, dismissed.

14. Pending application(s), if any, also stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

17.09.2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No