



CWP-30493-2025

-1-

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

111

CWP-30493-2025

Date of Decision :03.11.2025

**Comptroller and Auditor General of India
and others**

... Petitioners

Versus

Niteesh Panwar and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Harmanjit Singh Jugait, Senior Panel Counsel
for the petitioners-CAGI.

Mr. Sandeep Siwatch, Advocate
for caveator/respondents No.1 to 3.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, challenge is to the order dated 25.03.2025 (Annexure P-4) passed by the learned Central Administrative Tribunal, Chandigarh Bench (hereinafter referred to as 'the Tribunal') by which, the respondents No.1 to 3 have been granted the benefit of seniority in consonance with the seniority given to their batch mates, who were also selected in the same selection process.

2. Learned counsel for the petitioners argues that though, the benefit of seniority has been given to respondents No.1 to 3, the benefit which was also given to the similarly situated candidates but, once the respondents No.1 to 3 were appointed at a later point of time though selected along with others, they can only be given the benefit of seniority from the date of their appointment and not from the date the other candidates were



CWP-30493-2025

-2-

appointed.

3. We have heard learned counsel for the parties and have gone through the record with their able assistance.

4. As per the settled principle of law once, the candidates have competed in a particular selection/examination, their selection and appointment is to be done in a manner so that no candidate selected in such examination, is denied the appointment at a relevant time so as to suffer prejudice.

5. The prejudice which was caused not only to the respondents herein but also to the other candidates who were selected along with other candidates, but were appointed at a later stage, have already been given appointment from the date their colleagues were appointed. The same benefit has been given to the respondents by the Tribunal.

5. On being asked whether there is a difference between the respondents herein as well as the original applicants in **O.A.69-2015 titled as Shishpal vs. Staff Selection Commission and others decided on 03.12.2020**, learned counsel for the petitioners has not been able to point out any such difference. Once, the benefit given in the **Shish pal's case (supra)** has already been implemented, challenging the similar relief granted in favour of the respondents No. 1 to 3, is not made out.

6. Keeping in view the totality of the facts and circumstances of the present case as no perversity in the impugned order 25.03.2025 (Annexure P-4) passed by the Tribunal either on the basis of facts or law has been shown to this Court, the present writ petition is dismissed

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

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

November 03, 2025

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Whether speaking/reasoned : Yes

Whether reportable : No