



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

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**CWP-5767-2000 (O&M)
Date of decision: 10.07.2025**

SEWA SINGH

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Ravi Verma, Advocate
for the petitioner.

Mr. Rahul Dev, Addl. A.G. Haryana.

Mr. Tarun Yadav, Advocate, for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed seeking setting aside of the condition No.3 of the promotion order dated 19.02.1999 and the order dated 31.03.2000 vide which the petitioner had been reverted from the post of an Assistant to Steno-Typist.

2. Learned Counsel appearing on behalf of the petitioner contends that consequent upon carving out of District Fatehabad from the erstwhile District Hisar and options having been sought, the petitioner, who was then working as Steno Typist in the office of Deputy Commissioner, Sirsa w.e.f. 29.09.1995, opted for his appointment by way of transfer in District



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Fatehabad whereupon he was appointed as the Steno Typist in Fatehabad on 09.10.1997. The private respondent No.3 was earlier working in the office of Deputy Commissioner, Kaithal, had also been appointed by way of transfer in the office of Deputy Commissioner, Fatehabad on 01.10.1997. As per the erstwhile Service Rules, for promotion to the post of Assistant from amongst Clerks/ Steno-typists, an experience of 03 years was required to be possessed. Since respondent No.3 did not possess the requisite experience of 03 years as Clerk, the petitioner was promoted to the post of Assistant on 19.02.1999. Later, vide the impugned order, the respondents ordered promotion of the private respondent No.3 who also acquired the experience in the meanwhile, to the above post of Assistant by directing reversion of the petitioner on the ground that respondent No.3 is senior to the petitioner as inter-se seniority was to be determined from the date of their respective joining in Fatehabad.

3. At the time of filing of the instant writ petition, while issuing notice of motion on 17.05.2000, operation of the impugned order dated 31.03.2000 was ordered to be stayed. The petitioner thus continued to work against the substantive post of Assistant and has thereafter also earned subsequent promotions. It is also undisputed that the respondent No.3 thereafter switched the line of his promotion and eventually moved forward into the SAS cadre from where he was finally nominated into the Haryana Civil Services. Hence, he switched the channel of promotion and has no more competing or contesting interest or claim with the petitioner.



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4. Taking into consideration the change in circumstances and noticing that now no *inter se* dispute of seniority and promotion exists between the petitioner and the private respondent, the determination of seniority and the issue as regards entitlement of the petitioner may only be academic having no final impact on the *inter se* claim of the parties or affect any other person, I hence, deem it appropriate and in fitness of things to retain the status as it existed prior to the order of reversion of the petitioner in such changed circumstances. Consequently, the impugned order herein is set aside taking into consideration the changed circumstances.

5. The petition is allowed accordingly.

6. All the pending miscellaneous application(s), if any, are also disposed of.

JULY 10, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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