

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

MUKESH KUMAR SALUJA
2015.02.19 10:26
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**CM-12907-2014 and
CWP-4118-2014
Date of decision:16.02.2015**

Rishi Kumar

...Petitioner

Versus

Haryana Public Service Commission and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Akshay Jindal, Advocate for the petitioner.

Mr.Kanwal Goyal, Advocate for respondent No.1.

Mr.A.S.Chaudhary, Addl.A.G., Haryana.

Mr.Mahabir Singh Sindhu, Advocate for respondent No.3.

RAMESHWAR SINGH MALIK, J. (Oral)

CM-12907-2014

Applicant-Member Secretary, Haryana State Pollution Control Board, seeks to file written statement on behalf of respondent No.2.

However, on perusal of memo of parties of the writ petition, it has come to the notice that Haryana State Pollution Control Board was never impleaded as party-respondent No.2 in the present writ petition. In this view of the matter, the Haryana State Pollution Control Board has no authority to file written statement.

In view of the above, the instant application is dismissed.

Main case

Learned counsel for respondent No.1 as well as learned counsel for respondent No.3 place reliance on the order dated 29.1.2015 passed by

this Court in **CWP No. 4469 of 2014 (Shyam Lal v. State of Haryana and others)**, to contend, that the present writ petition being identical one may be disposed of in terms of the order dated 29.1.2015.

Faced with the above, learned counsel for the petitioner though tried to distinguish the instant writ petition from the order dated 29.1.2015 passed in **Shyam Lal's** case (supra), but he could not deny the statements made by learned counsel for respondent No.1 as well as learned counsel for respondent No.3.

In view of the above, present writ petition is disposed of in terms of order dated 29.1.2015. However, liberty is granted to the petitioner to get the instant petition revived, if necessity arises.

Disposed of, accordingly.

16.02.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE