

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.1058 of 2015 (O&M)

Date of Decision: July 17, 2015

Keshi Ram

.....Appellant

versus

Sanjeev Kumar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Suneel Ranga, Advocate, for
Mr.G.S.Hooda, Advocate, for the appellant.

:-

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The order dated 24.04.2015 passed by learned Single Judge setting-aside the order dated 28.07.2008 with a direction to the official-respondents (Nos.2 & 3) to pass a fresh order after considering the objections submitted by respondent No.1, is under challenge in this letters patent appeal.

We have heard learned counsel for the appellant at a considerable length and find no valid ground to interfere with the order under appeal. We say so for the reason that the appellant was appointed as Lecturer in-Mechanical Engineering in Technical Education, Haryana, on 06.03.2007. He joined the Government Polytechnic Education Society, Uttawar (Mewat) on deputation on 12.03.2007. Thereafter, he moved an application dated 17.05.2007 for his permanent absorption

which was accepted on 30.11.2007. Meanwhile, the first respondent was selected and given appointment as Lecturer-in-Mechanical Engineering in the above-mentioned Society on regular basis on 03.08.2007. The appellant, thereafter moved an application that he should be absorbed from the date of his representation, i.e., 17.05.2007 and his application was accepted vide order dated 28.07.2008.

Learned Single Judge has set-aside the above-stated order observing that since it has affected the seniority of first respondent, the authorities ought to have invited objections etc.

The directions issued by learned Single Judge are in furtherance of the principles of natural justice which were required to be observed while passing an order if it visits a party with civil consequences. No interference thus is called for in the order under appeal.

Dismissed.

However, if the authorities have not taken any decision on the appellant's claim for retrospective absorption, they will do so within a period of three months from the date of receiving a certified copy of this order and by following the procedure as directed by learned Single Judge.

Till the appellant's representation is decided, no adverse order shall be passed against him.

[SURYA KANT]
JUDGE

July 17, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE

CM No.2197 of 2015 in
LPA No.1058 of 2015

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Keshi Ram versus Sanjeev Kumar and others

Present : Mr.Suneel Ranga, Advocate, for
Mr.G.S.Hooda, Advocate,
for the applicant-appellant.

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Since the main appeal has been decided on merits, no separate order is required to be passed on this application for condonation of 2 days delay in filing the appeal.

(SURYA KANT)
JUDGE

July 17, 2015
mohinder

(P.B.BAJANTHRI)
JUDGE