

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.2125 of 2014 (O&M)

Date of Decision: July 06, 2015

Hon'ble High Court of Punjab and Haryana at Chandigarh
.....Appellant

versus

Mukesh Yadav and others
.....Respondents

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

Present: Mr.Gaurav Chopra, Advocate, for the appellant.
Mr.Pankaj Jain, Advocate, for respondent No.1.

:-

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 first respondent filed Civil Writ Petition No.21821 of 2008 seeking appointment to the Haryana Civil Services (Judicial Branch) on a post claimed to be reserved for Backward Class Category, which was initially dismissed on 20.05.2011 but on acceptance of his Review Application No.404 of 2011, learned Single Judge allowed the same vide order dated 13.01.2014 on the ground that the claim of respondent No.1 was identical to one contained in CWP No.3584 of 2008 (Neha Yadav versus State of Haryana and others), which stood allowed by another learned Single Judge vide judgment dated 20.05.2011.

It is not in dispute that LPA Nos.1963 of 2011 and 135 of 2012 preferred by the High Court of Punjab and Haryana and the State of Haryana, respectively, against the

above-mentioned judgment dated 20.05.2011 of learned Single Judge were allowed by a Division Bench of this Court vide judgment dated 28.02.2013 (Annexure R-2/1) and the claim of writ-petitioner (Neha Yadav) was rejected. The matter was taken up to Hon'ble Supreme Court but SLP was also declined. The above-stated judgment has thus attained finality.

Since the learned Single Judge vide order dated 13.01.2014 has accepted the claim of respondent No.1 only on the strength of judgment dated 20.05.2011 in Neha Yadav's case (supra) and the said judgment of learned Single Judge has been set-aside by the Division Bench in appeal, there can be no exception but to allow this appeal; set-aside the order dated 13.01.2014 passed by learned Single Judge and consequently dismiss the writ petition.

Ordered accordingly.

[SURYA KANT]
JUDGE

July 06, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE