

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.486 of 2015 (O&M)
Date of Decision: March 26, 2015

Dr.Raj Kumar Siwach and others

.....Appellant

versus

Chaudhary Devi Lal University and others

.....Respondents

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

Present:Mr.Ashwani Kumar Bura, Advocate,
for the appellant.

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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)

This letters patent appeal impugns the order dated 19.03.2015, whereby the appellants' writ petition has been dismissed by learned Single Judge being not maintainable. In the writ petition, the appellants challenged an interlocutory order passed by the Additional Civil Judge (Senior Division), Sirsa, in a civil suit which respondent No.4 has filed without impleading the appellants as party-defendants.

The grievance of the appellants is that due to ad-interim injunction order, their promotions under the Career Advancement Scheme have come to an halt.

In our considered view, the learned Single Judge has rightly observed that the writ petition was misconceived as the judicial order passed by a civil court cannot be challenged in writ jurisdiction, moreso, when the appellants have got an

effective alternative remedy. Since the appellants are said to have been affected by that order, they may explore whether any appeal is maintainable against the same and if so maintainable, it appears to us that they may file the same with the leave of court. If no appeal is maintainable, the appellants can challenge that order under Article 227 of the Constitution read with Section 151 CPC by invoking revisional jurisdiction of this Court, alongwith an application seeking permission to challenge that order.

With liberty aforementioned, we decline to interfere with the order passed by learned Single Judge.

Dismissed.

[SURYA KANT]
JUDGE

March 26, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE