

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

LPA no. 1818 of 2014 (O&M)

Date of Decision :09.05.2016

Virinderjit Singh Dhindsa and another

....Appellant(s)

Versus

M.L.Paul and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

HON'BLE MRS JUSTICE LISA GILL

1)Whether reporters of local newspapers 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?

Present : Mr.D.V.Sharma, Sr. Advocate with

Ms. Akshita Chauhan, Advocate for the appellants

Mr. Manoj Bajaj, Addl. AG, Punjab

MAHESH GROVER, J.

The appellants are aggrieved of the judgment dated 23.7.2013 by which right of consideration for promotion was granted to the writ petitioner in terms of an earlier precedent in CWP no. 15240 of 1994 decided on 14.2.2000.

Learned counsel for the appellants contends that the judgment aforesaid i.e in CWP no. 15420 of 1994 was intended to take effect prospectively as noticed in the judgment passed but by virtue of the judgment of the learned

Single Judge impugned herein the entire seniority list stands to be disturbed.

We may notice that the appellants had filed a review petition which was dismissed, giving liberty to them to file an appeal against the impugned judgment or prefer independent writ petition. It is pertinent to mention herein that present appellants were not writ petitioners in the writ petition.

On due consideration of the matter, it is not a fit case where appellants shall be given liberty to file an LPA. There is nothing on record to suggest that seniority list is being disturbed to the detriment of the appellants. In the event of it being done, the appellants have an independent cause of action to agitate by way of a writ petition as noticed in the order dated 6.9.2014. We, therefore, do not intend to add anything beyond what has already been granted by learned Single Judge in the review petition. Besides, the LPA filed by the State has also been dismissed. Moreover, the appeal is barred by an inordinate delay of 442 days which we do not find any reason to condone. Hence, instant appeal is hereby dismissed.

(Mahesh Grover)
Judge

09.05.2016
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(Lisa Gill)
Judge