

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-675-2015 (O&M)

Date of Decision: August 16, 2016

Partap Singh

.....Appellant

Versus

Chaudhary Charan Singh Haryana Agricultural University and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Y.P.Malik, Advocate
for the appellant.
Mr.Sailender Singh, Advocate
for respondent Nos.1 and 2.
Mr.Vivek Khatri, Advocate
for respondent Nos.3 and 4.
Mr.Partap Singh, Advocate
for respondent No.5.

.....

SURYA KANT, J.

CM-1376-LPA-2015

In view of the facts mentioned in the application, delay of 37 days in filing the appeal is condoned.

CM disposed of.

LPA-675-2015

The respondent-University made selection to the posts of District Extension Specialist (Animal Science) in response to its advertisement No.3/94. The selection and appointments were made in the year 1995. Private respondents were selected and appointed, whereas the appellant could not make it to the selection list. Feeling aggrieved, the appellant approached this Court without wasting time in the year 1995 itself. His turn for final

hearing came after almost 19 years. Learned Single Judge vide order under appeal though touched the merits of the case but has primarily dismissed the writ petition on the ground that the respondents are working from last nineteen years, hence the cause of action no longer survives.

The appellant's cause of action has never died. It survives even today. He has a right to be heard on merits. We are, thus, of the view that the matter requires re-consideration at the hands of learned Single Judge.

Without going into merits of the selection under challenge, we set aside the order dated 03.12.2014 and remit the case to the learned Single Judge for afresh hearing. Needless to say that observations made in the order dated 03.12.2014 or today's order shall have no bearing on the merits of the case. The respondents shall be at liberty to file their respective written statements within one month from today.

Parties are directed to appear before learned Single Judge on 13.09.2016.

We request the learned Single Judge to take up the case for early disposal subject to any other part-heard case.

**(SURYA KANT)
JUDGE**

August 16, 2016
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**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No