

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

LPA No. 818 of 2016(O&M)

Date of Decision: May 16 , 2016.

Gurjant Singh

..... APPELLANT (s)

Versus

State of Punjab and others

..... RESPONDENT (s)

**CORAM:- HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Hemen Aggarwal, Advocate
for the appellant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reports or not?
3. Whether the judgment should be reported in the digest?

MAHESH GROVER, J.

The appellant has filed this appeal against order of learned Single Judge dated 15.01.2016 and the one passed on 21.03.2016 in Review Petition preferred by the appellant.

The appellant states that since the writ petition has been disposed of on a concession inter-se between the parties, his rights on the basis of resolution of the Municipal Council would be adversely affected. To a pointed question as to whether he had questioned the resolution if he perceived it to be adverse, learned counsel for the appellant states that he was merely awaiting the result of the writ petition preferred by the writ petitioner. He further states that the concession of the respondent in the

writ petition that he will be satisfied with his promotion w.e.f. 2012 instead of 2005, is likely to affect his rights adversely. He also states that his rights of promotion in favour of the respondent in the writ petition in 2012 was the immediate cause of action to him. The review court observed that since the dispute in the writ petition was between Kulwinder Singh, the writ petitioner and Satwinder Pal Singh, respondent No.4 therein, the arrangement “will hold good given that all things are equal which meant that if all things are not equal then 3rd party rights will not be affected by the order”. It is further observed by the review court that the appellant, if aggrieved or is an affected party, the order passed in the writ petition will not be read as final qua the rights of the appellant and he is free to take recourse to his remedy as available to him.

We are of the opinion that nothing more could have been said to safeguard the interest of the appellant. Therefore, this appeal being illconcieved and misadventure deserves dismissal. Besides, it is barred by an inordinate delay of 70 days which we do not intend to condone. Consequently, the appeal is dismissed with costs of ₹5,000/- which shall be deposited with the Mediation and Conciliation Centre of this Court within one month from today.

(MAHESH GROVER)
JUDGE

(LISA GILL)
JUDGE

May 16 , 2016.
'om'