

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

**Civil Writ Petition No.19610 of 2017
Decided on : 18.09.2017**

Surender Singh and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Mukesh Yadav, Advocate
for the petitioners.

G.S. Sandhawalia, J. (Oral)

The present writ petition has been filed, whereby consideration has been sought on the post of Lab Attendant till the fresh advertisement and the preferential right.

It is not disputed that the petitioners were private respondents and their selection were set aside in **CWP No.16899 of 2010 'Parmod Kumar Vs. Chaudhary Devi Lal University and others'** on 26.04.2013 (Annexure P-3). In **LPA No.1062 of 2013 'Surender Singh and others Vs. Parmod Kumar and another'** vide order dated 29.05.2013 (Annexure P-4), the said order was upheld. However, the following benefit was granted to the appellants:-

“As regards to the appellants' plea that they may be allowed to continue till the fresh selection takes place, we find from the order under appeal that no time bound direction has been issued by the learned Single Judge to hold the selection afresh. In such a situation, if the appellants are allowed to continue in service, it would be contrary to the spirit of the order under

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-2-

appeal. We, however, grant liberty to the appellants to move an application before the learned Single Judge, to consider the desirability of allowing them to continue in service till afresh selection process is concluded in a time bound manner.

With the liberty afore-mentioned, the instant appeal is dismissed.”

The petitioners were unsuccessful in the Special Leave Petition, which was dismissed on 28.10.2013 (Annexure P-5). Now, the petitioners have approached this Court for the above said relief.

Once the petitioners have lost out in the round of litigation and the matter has been upheld till the Apex Court, no further directions are liable to be issued by this Court, in the discretionary relief under Article 226 of Constitution of India.

Accordingly, no case is made out and the present writ petition is dismissed in limine.

SEPTEMBER 18, 2017

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No