

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

Date of decision: 18.01.2017

**C.M. No. 11866 of 2016 in/and
R.A. No. 296 of 2016 in
CWP No. 22599 of 2015**

Paramjit Chand

...Petitioner

Vs.

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Anil Sharma, Addl. AG, Punjab.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner preferred the writ petition i.e. CWP No.22599 of 2015 seeking directions to the State of Punjab for promotion to the post of Sub Inspector in the Punjab Police from the date his juniors were promoted and further quashing of the officer's committee report (Annexure P-13).

This Court disposed of the writ petition vide order dated 20.10.2015. The relevant extract of order dated 20.10.2015 reads as under:

“In view of the statement made by learned counsel for the petitioner, this petition is disposed of with the direction to respondent No.2 to decide the legal notice dated 7.9.2015(Annexure P-16) by passing a speaking order on the issue raised therein taking into consideration the judgment rendered by this Court in CWP No.21762 of 2013, within a period of two months from the date of receipt of certified copy of this order. In case the petitioner is found entitled to the relief claimed by him, the same be released in terms of the order dated 22.7.2015 (Annexure P-14), passed by the

respondent-State in favour of the petitioner in the case of Pal Singh(supra) within one month thereafter.”

Earlier, the State of Punjab has preferred R.A.No.232 of 2016 in the present case and one of the grounds taken therein is that review application has already been filed against the order dated 19.02.2015 passed in CWP No.21762 of 2013. The learned Law Officer has brought to the notice of this Court the orders dated 09.08.2016 passed in R.A.No.232 of 2016 in CWP No.21762 of 2013 whereby the review application was dismissed. The order dated 09.08.2016 reads as under:

“Under the garb of review, the applicant – respondent want change of opinion, which is not permissible in review jurisdiction based on Section 114 and Order 47 Rule 1 of the Code of Civil Procedure.

Apart from the said fact, the review application also deserves to be dismissed on the ground of delay of 494 days in approaching this Court for review of the order dated 19.02.2015.

Consequently, the review application as well as, application for condonation of delay are dismissed with the costs of Rs. 25,000/- to be deposited with Punjab State Legal Services Authority.”

Since R.A.No.232 of 2016 filed in CWP No.21762 of 2013 has been dismissed, as such the present Review Application has been rendered infructuous. Moreover, the petitioner in the present writ petition for which review has been sought, has already been promoted as Sub Inspector vide order dated 08.03.2016 passed by the Deputy Inspector General of Police, Ferozepur Range, Ferozepur Cantt and as such the Court's order dated 20.10.2015 stands complied with.

In view of the same Review Application is dismissed as infructuous with no orders as to costs.

So far as C.M. No.11866 of 2016 i.e. for condonation of delay is concerned no orders are required to be passed as the main Review Application itself has been rendered infructuous.

Ordered accordingly.

18.01.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE