

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 13.11.2018****CWP No.24380 of 2018**

Senior Superintendent of Post Offices

...Petitioner

Vs.

Daljit Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Piyush Khanna, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Learned counsel for the petitioner is unable to distinguish the order dated 23.05.2017 passed in CWP No.11405 of 2017 (O&M) and four connected petitions filed by the Superintendent, Post Offices, Ferozepur Division, Ferozepur. In that bunch of cases, I passed the following order:

“This order will dispose of above-mentioned writ petitions as common questions of law and fact is involved in them which can be conveniently dealt with by a common order.

Mr. Namit Kumar seeks to distinguish the decision of this Court rendered in *Senior Superintendent of Post Offices, Jalandhar Division, Jalandhar vs. Darshan Ram (through LRs) & others, 2014 (9) SCT 120 (DB)* and *Senior Superintendent of Post Offices vs. Smt. Sham Dulari and others, 2006 (3) SCT 577* the ratio of which I followed and applied in *CWP No.26514 of 2016* titled as *Senior Superintendent of Post Offices vs. Harbhajan Singh and others* and 10 other connected writ petitions decided on 28.03.2017 itself. He submits that against this decision the department had carried Special Leave Petition to the Supreme

Court. The petition was dismissed but the question of law was left open.

It is his case that the matter requires re-examination. However, since I am bound by the Division Bench judgment, I will respectfully follow the law even if left open by the Supreme Court.

Accordingly, the writ petitions are dismissed in the same terms as in the aforesaid case.”

As is evident, I had followed the Division Bench judgment despite the fact that in the Special Leave Petition, the question has been left open. Learned counsel informs that a Letters Patent Appeal is pending against my order dated 23.05.2017.

Be that as it may, the instant petition is disposed of in terms of CWP No.11405 of 2017.

13.11.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>