

**LPA No. 746 of 2015 (O&M) in
CWP No. 24951 of 2012**

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

**LPA No. 746 of 2015 (O&M) in
CWP No. 24951 of 2012
Date of decision : April 4, 2018**

Sunil Kumar

..... Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA**

**Present:- Mr. N. K. Malhotra, Advocate
for the appellant.**

Ms. Tanisha Peshawaria, DAG., Haryana.

RAJESH BINDAL, J.

The order passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra Court appeal.

The appellant filed the writ petition praying for issuance of a writ in the nature of quo-warranto for removal of respondent Nos. 5 to 7 from service as they had not passed the requisite written test for absorption in Executive Clerical Cadre (Accounts Branch). The aforesaid fact is not in dispute. However, respondent Nos. 5 to 7 and the present appellant were given a special chance to appear in the written test. Respondent Nos. 5 to 7 availed of that opportunity, however the petitioner did not. After respondent

Nos. 5 to 7 passed the written test, their absorption in the Executive Clerical

Cadre (Accounts Branch) was regularized. As the appellant failed to avail of the opportunity, he could not be absorbed.

There is no error in the order passed by the learned Single Judge. The appeal is accordingly dismissed. Consequently, the applications for condonation of delay in filing and refiling the appeal are also dismissed.

(RAJESH BINDAL)
JUDGE

(B. S. WALIA)
JUDGE

April 4, 2018
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No