

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

LPA No. 647 of 2018 (O&M)
in CWP No. 5770 of 2017

Date of Decision: 30.05.2018.

Sawrajpreet Singh and others

....Appellants

versus

State of Punjab and others

....Respondents.

**CORAM: Hon'ble Mr. Justice Rajesh Bindal.
Hon'ble Mr. Justice Deepak Sibal.**

Present: Mr. R.K.Arora, Advocate, for the appellants.
Mr. Suveer Sheokand, Additional Advocate General, Punjab
for respondent Nos.1 to 3.
Mr. Gagneshwar Walia, Advocate, for respondents No. 4 to 48.

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RAJESH BINDAL, J.

The order passed by the learned Single Judge dated 05.04.2018
has been impugned by filing the present intra-court appeal.

The short grievance raised by learned counsel for the appellants
is that though they had been impleaded as respondents No. 7 to 18 in the
writ petition, but before disposal of the writ petition they were not served.
The appeal has also been filed on behalf of the appellants No.11 to 15,
alongwith an application seeking permission to file the appeal, as they were
also adversely affected by the impugned order.

CM No. 1763-LPA of 2018 seeking permission to file the
appeal on behalf of appellant Nos. 11 to 15 is allowed.

The appellants in the present case were selected and appointed as Surveyors in the Department of Soil and Water Conservation, Punjab. They are working for the last about 2 years. However, their selection was challenged raising a grievance that they were not qualified for the post. The stand of the appellants is that they had the higher qualification than the qualification prescribed in the rules and were therefore eligible. The matter had been examined by the committee constituted and only thereafter they were offered appointments.

The impugned order has been passed by the learned Single Judge adversely affecting the rights of the appellants, a fact which is not in dispute. Therefore, we deem it appropriate to set aside the order passed by the learned Single Judge and remit the matter back for a decision afresh.

Accordingly, the appeal is allowed. The writ petition be listed on 01.08.2018 before the learned Single Judge as per roster and be heard on-merits after hearing all parties including the private respondents.

(RAJESH BINDAL)
JUDGE

(DEEPAK SIBAL)
JUDGE

30.05.2018
ravinder

Whether speaking/reasoned: ✓Yes / No
Whether reportable : Yes / No