

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**RA-CW-133-2018 (O&M) in
CWP-1700-2018
Date of Decision: 28.05.2019**

Simmi Nayyar

... Petitioner

Versus

Haryana Human Rights Commission
and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.K. Malik, Sr. Advocate,
with Mr. Sunil Hooda, Advocate,
for the applicant-respondents No.1 & 2.

Mr. Ashok Sharma Nabhewala, Advocate.

RAJIV NARAIN RAINA, J.(Oral)

1. I have no doubt that in the review application, the Commission is justified in contending that the sentence “She will be treated as regular Private Secretary for all intents and purposes” in para.25 of the judgment. This sentence is not consistent with the ultimate decision where reconstitute Commission would take a decision in accordance with law. This would include the issue of regularization.

2. Accordingly, the sentence will stand deleted from my judgment dated March 14, 2018. The removal of sentence will have no impact on the rest of the judgment.

3. The review application is allowed to the aforesaid extent.

4. This order will not affect my judgment which stands implemented.

5. This order will not affect salary and allowances of the petitioner as she is drawing at present with right to future increments etc.

6. The parties will be at liberty to re-visit the matter of regularization in the light of the orders as may be passed by the Supreme Court in the Special Leave Petition against the orders of the Division Bench of this Court in CWP No.17206 of 2014, *Yogesh Tyagi and another v. State of Haryana and others*, decided on May 31, 2018.

**(RAJIV NARAIN RAINA)
JUDGE**

28.05.2019

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No