

(PROCEEDINGS THROUGH VC)

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

LPA No.1597 of 2019 (O&M)

Date of decision: November 11, 2020

Institute of Banking Personnel Selection ...Appellant

Versus

Lakhan Verma and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Aayush Gupta, Advocate for the appellant.

Mr. Sapan Dhir, Advocate for the respondents.

Augustine George Masih, J. (oral)

Challenge in this appeal is to the order dated 19.02.2018, passed by the learned Single Judge in CWP No.7102 of 2014 and order dated 02.09.2019, whereby the review application No.235 of 2018, preferred by the appellant stands dismissed.

Mr. Sapan Dhir, learned counsel for the respondents (on telephonic instructions from the respondents/petitioners) very fairly states that in the light of the judgment passed by the Hon'ble Supreme Court in *Rajbir Surajbhan Singh vs. Chairman, Institute of Banking Personnel Selection, Mumbai, 2019 (5) JT 35*, the writ petition, which has been preferred by the respondents/petitioners, would not be maintainable and therefore, he has no objection in case the impugned orders are set-aside and

liberty is granted to the petitioners to withdraw the writ petition to avail of the alternative remedy in accordance with law.

Having considered the submissions made by the counsel for the parties and in the light of the judgment passed by the Supreme Court in *Rajbir Surajbhan Singh's case (supra)*, the present appeal is allowed. The judgment passed by the learned Single Judge dated 19.02.2018 and the order dated 02.09.2019, passed in the review application i.e. RA-CW-235-2018 in CWP-7102-2014 are set-aside. The writ petition is held to be not maintainable as has been preferred by the respondents/petitioners and as prayed for by the counsel for the respondents/petitioners, same is permitted to be withdrawn with liberty to avail of the alternative remedy in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

November 11, 2020
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No