

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

232

**LPA-388-2019 (O&M)
Decided on : 23.08.2022**

Union of India and others

.....Appellant (s)

Versus

Prem Chand Saini and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE JAGMOHAN BANSAL**

Present: Mr. Arun Gosain, Senior Panel Counsel
for the appellant-UI.

Mr. Rajeev Anand, Advocate
for the respondents.

G.S. Sandhawalia, J. (Oral)

The present appeal is directed against the order dated 19.03.2018 passed in **CWP No.6687 of 2018 'Prem Chand Saini and others Vs. Union of India and others'**, whereby the learned Single Judge had directed to decide the case of the writ petitioners in terms of the order dated 31.08.2016 passed in **CWP No.28431 of 2013** titled as **'HBL Meena Vs. Union of India and others'** (Annexure P-9).

It is not disputed that the Union of India has filed LPA No.1673 of 2017 challenging the abovesaid decision of **HBL Meena (supra)**, which has been allowed today, in view of the judgment of the Apex Court passed in **'Union of India and others Vs. M.V. Mohanan Nair', 2020 (2) SCT 366.**

Keeping in view the above since the foundation as such of the decision was in terms of a particular order which had been set aside, we are of the considered view that the order of the learned Single Judge also has to be set aside, keeping in view law settled by the Apex Court passed in **M.V. Mohanan Nair (supra).**

Accordingly, the appeal filed by the Union of India is allowed and the order of the learned Single Judge dated 19.03.2018 is set aside.

(G.S. SANDHAWALIA)
JUDGE

August 23, 2022
Naveen

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No