

CM-16009-CWP-2022 in/and
RA-CW-223-2022 in
CWP-13335-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CM-16009-CWP-2022 in/and
RA-CW-223-2022 in
CWP-13335-2020
Date of Decision : 09.11.2022

Sundeep Sardana

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naresh Kumar Ganga, Advocate
for the applicant-petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-16009-CWP-2022

Present application has been filed for seeking condonation of
delay of 20 days in filing the review application.

Keeping in view the averments made in the application, which
is duly supported by an affidavit, the same is allowed and delay of 20 days
in filing the review application is condoned.

RA-CW-223-2022

Present application has been filed for recalling the order dated
26.07.2022 passed in CWP No. 13335 of 2020.

Notice of the application to the counsel for the respondents.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, the present application, which is duly supported by an affidavit, is allowed and order dated 26.07.2022 is recalled and CWP No. 13335 of 2020 is taken up for hearing.

CWP-13335-2020

The grievance in the present petition is that while conducting the fresh selection for the post of Physical Training Instructors in pursuance to the order passed by the Hon'ble Supreme Court of India in Civil Appeal No. 2103 of 2020, decided on 08.04.2020 titled as ***Ramjit Singh Kardam and others Vs. Sanjeev Kumar and others***, during the written examination, there was an FIR registered with regard to the use of unfair means, from which it can be safely presumed that the said written examination was not conducted in accordance with law and the said written examination is liable to be scraped so as to hold the fresh written examination.

On being pointed out that none of the selected candidates, who have already been appointed in pursuance to the said written examination and will be affected in case the prayer of the petitioner is allowed, are party to this petition. Learned counsel for the petitioner concedes that selected candidates will be affected but concedes the fact that none of the selected

candidate is a party in the present petition. Learned counsel for the

petitioner further concedes that the petitioner never approached the respondents with the grievance as raised in the present petition before filing the present petition.

Faced with this situation, learned counsel for the petitioner prays that he be allowed to withdraw this petition, at this stage, with liberty to the petitioner to approach the respondents to raise the said grievance.

Learned State counsel submits that in case any grievance is raised by the petitioner, the same will be decided in accordance with law as expeditiously as possible.

Learned counsel for the petitioner submits that keeping in view the above, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

Ordered accordingly.

November 09, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No