

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2025-2012 (O&M)
Date of decision: 15.09.2022

Narain Singh and others**Petitioners.**

vs.

The State of Haryana and another**Respondents.**

CORAM: - HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Dr. Surya Parkash, Advocate, for the petitioners.

Mr. Sandeep Singh Maan, Addl. AG, Haryana.

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Harsimran Singh Sethi, J. (oral)

Learned counsel for the parties concedes the fact that the question of law raised in the present petition is covered by the decision in CWP-17733-2010 (*Shyam Jiwan Pathak vs. State of Haryana and others*) decided on 01.03.2012 against which, even the LPA-956-2012 (*State of Haryana and others vs. Shyam Jiwan Pathak*) was dismissed on 13.07.2012.

Learned counsel for the petitioners submits that keeping in view the above said factual aspect, the prayer of the petitioners be allowed in the same terms as in CWP-17733-2010.

Learned counsel for the respondents submits that the question of law raised in this petition is covered by the decision in CWP-17733-2010 and the LPA-956-2012 filed against the said decision was dismissed but a review petition has been filed which is still pending consideration.

Keeping in view the factual aspect which has been noticed, the present petition is allowed in the same terms as in CWP-17733-2010 (*Shyam Jiwan Pathak vs. State of Haryana and others*) subject to the condition that any order passed in RA-LPA-36-2020 in LPA-956-2012 which is pending consideration before the Division Bench of this Court will *ipso facto* become applicable upon the petitioners as well.

Further, before any benefit is granted to the petitioners, the petitioners will submit a due affidavit to the respondents that the petitioners will also be bound by the decision in RA-LP-36-2020 in LPA-956-2012 though they are not the party to the said petition.

As the main petition has been disposed of, the CM-5724-CWP-2012 also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

15.09.2022
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whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no