

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

**104**

**CM-1421-LPA-2022 in/and  
RA-LP-12-2022 in LPA-608-2021  
Decided on : 06.08.2022**

Bimla Bai

.....Non-applicant/appellant(s)

Versus

State of Punjab and others

.....Review applicant/Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA  
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Mr. Abhaypal Singh Gill, AAG, Punjab,  
for the review applicant/respondents.

**G.S. Sandhawalia, J. (Oral)**

**CM-1421-LPA-2022**

Application for condoning the delay of 55 days in filing the review application has been filed.

Keeping in view the averments made in the application and the fact that opinion had to be taken to file review, sufficient cause is made out to condone the delay. Accordingly, the application is allowed and delay of 55 days in filing the review application is condoned.

CM stands disposed of.

**RA-LP-12-2022**

Present review application has been filed for reviewing the order dated 17.11.2021, on the basis that no benefit of reinstatement has been given to Kalpana Devi, as the RA-CW-144-2021 in CWP-28820-2017 is pending and, therefore, reliance upon the instance of Kalpana Devi wrongly placed would be a reason to reopen the issue.

We had noticed the fact that Kalpana Devi had also filed the writ petition, which was allowed on the strength of one Jaspreet Kaur's case, who had filed CWP No.263 of 2018.

The same had been allowed on the ground that her name could not be struck off from the service rolls, once the recruitment agency had concluded the entire selection process. In the present case also the ground for

allowing the appeal was that without even issuing show cause notice the appellant/writ petitioners orders for appointment had been set aside and, therefore, there is violation of principles of natural justice and no quarrel can be on the said issue. Merely because State has chosen to file review petition in Kalpana's case would not be a ground to review the order. Even otherwise, the orders were dictated in the open Court and at that point of time it was not pointed out that there was any error in the factual matrix.

The other ground sought for reviewing the order is that fresh recruitment is being made and, therefore, it would cause unending litigation as others would also claim parity. We are not convinced with that aspect, as admittedly the writ petitioners/appellants had initiated the litigation in the year 2017 and their writ petitions were dismissed only on 01.04.2021 and they had thus continued their quest for justice. Therefore, any person who now would agitate for the grouse would always face the issue of delay and laches and mere apprehension on behalf of the State is uncalled for.

In such circumstances, we are of the considered opinion that no case is made out to exercise the review jurisdiction. The present review application is, accordingly, dismissed.

**(G.S. SANDHAWALIA)**  
**JUDGE**

**August 06, 2022**  
*Naveen*

**(VIKAS SURI)**  
**JUDGE**

Whether speaking/reasoned :  
Whether Reportable :

Yes/No  
Yes/No