

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

103

**CWP-20821-2021 (O&M)
Decided on : 22.02.2022**

Anmol Singh Nayar

....Petitioner

VS

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Manohar Lal, Advocate
for the petitioners.

Mr. Vikas Chatrath, Advocate
for respondents No. 2 to 4.

AJAY TEWARI, J.(Oral)

1. This petition has been filed praying for quashing the minutes of meeting of three Member Recruitment/Promotion Committee (Respondent No.3) held on 11.10.2017 (Annexure P-9).

2. The petitioner has initiated the second round of litigation with regard to his non-selection to the Superior Judicial Service. It was matter of record that a previous writ petition filed by the petitioner was dismissed challenging the same action of respondent; a review against that order was also dismissed and an SLP preferred by him was also dismissed. In the present petition, the only stand taken is that the judgments of the petitioner were considered by three Judges of this Court rather than by the six senior most Judges (excluding the Chief Justice). In paragraph 21, the averments in this regard is as follows :-

“That the plea regarding the assessment of judgments having been invalidly undertaken by respondent No. 3 at its own level by usurping the authorisation given by the Full Court to Six Member Committee on the Hon'ble Judge, could not be taken up by the petitioner in the earlier writ petition i.e. CWP No. 24282

of 2017 filed by him on 23.10.2017 which was amended on 4.11.2017 against the same selection as the authorised constitution of the Committee for assessing the judgments was not to his knowledge at that time. It is a matter of record that the petitioner came to know only on 12.11.2018 when he received the information under Right to Information Act after dismissal of the above writ petition on 14.08.2018.”

3. A perusal of the information given to the petitioner on 12.11.2018 (Annexure P-2) reveals that he was intimated as follows :-

“You are hereby intimated that in the Full Court meeting held on 08.03.2011, a committee comprising 6 senior most Hon'ble Judges excluding Hon'ble the Chief Justice was constituted for conducting the viva-voce for promotion to the post of Additional District and Sessions Judge and the judgments are also assessed by said Hon'ble Committee. Copy of the extract dated 8.3.2011 of Hon'ble Full Court is enclosed herewith.”

4. Thus, the plea that the petitioner came to know about the invalid assessment from this document is completely misplaced.
5. In the circumstances, it has to be held that present case is barred by the principles covered by Order 2 Rule 2 CPC. Petition stands dismissed.
6. Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(PANKAJ JAIN)
JUDGE

22.02.2022
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No