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

Date of decision: 29.11.2022

**CM-15741-CWP-2021 in/and
CWP-22475-2018**

Same Singh and others
Vs.
State of Haryana and others

...Petitioners
...Respondents

**CM-2998-CWP-2022 in/and
CWP-22490-2018**

Subhash Chander and others
Vs.
State of Haryana and others

...Petitioners
...Respondents

CWP-22483-2018 (O&M)
...Petitioners

Suresh Kumar and others
Vs.
State of Haryana and others

...Respondents

CWP-22623-2018 (O&M)
...Petitioners

Chhaju Ram and others
Vs.
State of Haryana and others

...Respondents

CWP-22831-2018(O&M)
...Petitioners

Om Parkash and others
Vs.
State of Haryana and others

...Respondents

CWP-23075-2018 (O&M)
...Petitioner

Ram Chander @ Ram Chand
Vs.
State of Haryana and others

...Respondents

CWP-23214-2018 (O&M)
...Petitioner

Rajesh Kumar
Vs.
State of Haryana and others

...Respondents

CWP-23522-2018(O&M)

PrabhDayal and others
Vs.
State of Haryana and others

...Petitioners
...Respondents

Om Parkash Vs. State of Haryana and others	CWP-23541-2018(O&M) ...Petitioner ...Respondents
Nar Singh Vs. State of Haryana and others	CWP-23542-2018(O&M) ...Petitioner ...Respondents
Radha Krishan Vs. State of Haryana and others	CWP-23543-2018(O&M) ...Petitioner ...Respondents
Gopal Dass Vs. State of Haryana and others	CWP-23544-2018(O&M) ...Petitioner ...Respondents
Dharambir Vs. State of Haryana and others	CWP-23545-2018(O&M) ...Petitioner ...Respondents
Raghbir Singh Vs. State of Haryana and others	CWP-23546-2018(O&M) ...Petitioner ...Respondents
Kuldeep Singh and others Vs. State of Haryana and others	CWP-23984-2018(O&M) ...Petitioners ...Respondents
Suresh and others Vs. State of Haryana and others	CWP-25437-2018(O&M) ...Petitioners ...Respondents
Jai Pal and others Vs. State of Haryana and others	CWP-26412-2018(O&M) ...Petitioners ...Respondents
Satish Kumar Vs. State of Haryana and others	CWP-31713-2018(O&M) ...Petitioner ...Respondents

Neer Singh and another
Vs.
State of Haryana and others

CWP-37940-2018(O&M)
...Petitioners
...Respondents

Ram Karan and others
Vs.
State of Haryana and others

CWP-21880-2018(O&M)
...Petitioners
...Respondents

Jagbir alias Jagbir Singh
Vs.
State of Haryana and others

CWP-2625-2022(O&M)
...Petitioner
...Respondents

Radhe Shyam
Vs.
State of Haryana and another

CWP-7560-2022(O&M)
...Petitioner
...Respondents

CORAM: HON'BLE MSR. JUSTICE ARUN MONGA

Present : Mr. Ravi Pratap, Advocate,
Mr. Lalit Rishi, Advocate,
Mr. Sanjiv Gupta, Advocate,
Mr. Shireesh Gupta, Advocate,
Mr. Ram Kumar Saini, Advocate,
For the petitioner(s).

Mr. R.K.S.Brar, Additional A.G., Haryana.

Mr. P.K.Ganga, Advocate,
For applicant(s) in CM-7569-CWP-2020 in
CWP-21880-2018

Mr. S.S.Sahu, Advocate,
For respondent No.4 in CWP-7560-2022.

ARUN MONGA, J. (ORAL)

CM-15741-CWP-2021 in CWP-22475-2018

This is an application seeking impleadment of the
applicants as respondents No.4 to 6.

Application is allowed, as prayed for.

Amended 'Memo of Parties' is taken on record ,subject to all just exceptions. Registry to take steps accordingly.

CM-2998-CWP-2022 in CWP-22490-2018

This is an application seeking withdrawal of the instant application *qua* petitioner No.3, with liberty to file afresh, if need be.

For the reasons stated in the application, the same is allowed and the main case is dismissed as withdrawn with the liberty aforesaid *qua* petitioner No.3 alone.

Main cases

Vide this common order, bunch of above-mentioned petitions are being disposed of, since not only the facts but the issues raised therein are also similar. For brevity, recitals are being taken from CWP-22475-2018.

2. Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari for quashing show-cause notice dated 27.08.2018 (Annexure P-14) for reverting the petitioners from their respective posts.

3. The aforesaid bunch of writ petitions was directed to be heard along with CWP No. 11073-2015, as is borne out from an order dated 05.09.2018 passed by my learned sister Ritu Bahri, J. (as she then was seized of the matter), which reads as below:

“Notice of motion.

On the asking of the Court, Mr. Kiranpal Singh, AAG, Haryana, accepts notice on behalf of the respondent-State and seeks time to get instructions.

Copy of this petition be supplied to learned State counsel during the course of the day.

To be heard along with CWP-11073-2015.

In the meantime, the petitioners shall not be reverted and operation of the order dated 16.08.2018 (Annexure P-13) shall remain stayed.”

4. Subsequently, aforesaid CWP No.11073-2015 was disposed of by a Division Bench of this Court presided over by learned Chief Justice, Ravi Shanker Jha, C.J. speaking for the Division Bench, learned Chief Justice observed as under:

“In this petition, the petitioners have challenged the constitutional validity of the notification dated 15.05.2015 on the ground that the same is in violation of the law laid down by the Supreme Court in the case of M. Nagaraj Vs. Union of India (2006) 8 SCC 212.

Learned counsel for the petitioners submits that the issue involved in the present petition stands concluded by the decision of the Supreme Court in the case of Jarnail Singh and others Vs. Lachhmi Narain Gupta & others, 2018 (10) SCC 396.

The petition is accordingly disposed of in view of the decision of the Supreme Court rendered in Jarnail Singh’s case (supra) subject to any order passed in review by the Supreme Court itself.”

5. *Apropos*, nothing much survives for adjudication before this Court in view of the Constitution Bench judgment rendered by the Apex Court passed in “**Jarnail Singh and others Vs. Lachhmi Narain Gupta & others**” reported as **2018 (10) SCC 396** read with Division Bench judgment *ibid*, the present bunch is disposed of with a direction to the respondents that they will pass orders afresh in the light of the Apex Court’s judgment, as expeditiously as possible, but not later than a period of six months from today and until passing of the fresh orders, the interim order passed by this Court staying the reversion of the petitioners shall continue to operate.

6. Needless to say, if any adverse orders are passed, petitioners shall be at liberty to challenge the same.
7. Disposed of, accordingly.
8. Pending applications including application(s) for impleadment shall also stand disposed of.
9. Photocopy of this order be placed on the connected case files.

November 29, 2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No