

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

**CM-8205-CWP-2022in/and
CWP-27861-2018**

Date of decision: 28.07.2022

RAJVIR SINGH AND ORS

...Petitioners

VS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Mamta Singla Talwar, DAG, Haryana.

Mr. Sanjiv Gupta, Advocate,
For the non-applicant/petitioners.

ARUN MONGA, J. (ORAL)

CM-8205-CWP-2022

This is an application filed by the respondent-State for clarification of order dated 08.04.2022 passed in the main case.

For the reasons stated in application, it is deemed more appropriate that main case, which is otherwise slated for hearing on 06.12.2022, is taken up on Board today itself, instead of rendering piecemeal decision. Application is disposed of accordingly.

Main case

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari for quashing process initiated vide office note dated 06.09.2018 (Annexure P-8) of respondent No.2 in pursuance to letter dated 04.09.2018 (Annexure P-7) of Chief Secretary, Haryana along with other process vide which the tenure based personal promotion Policy (Annexure P-4) as well as other benefits already granted to the petitioners have been proposed to be withdrawn.

Learned State counsel submits that impugned order dated 06.09.2018 (Annexure P-8) was without the approval of competent authority, hence the same

was declared non-est and void *ab initio* vide letter dated 26.04.2019 (Annexure R-1). Since no interim order was operative and after approval of the competent authority, the tenure based personal promotion policy issued vide Memo dated 23.10.2012 (Annexure P-4) was withdrawn *ab initio* and order dated 25.03.2013 (Annexure R-2) granting personal promotions to the petitioners was rescinded vide memo dated 09.12.2021 (Annexure R-4).

Learned State counsel has tendered an administrative order dated 09.12.2021, which is taken on record and marked as Annexure 'A'. Perusal of the same reflects that order granting personal promotions to the petitioners stands withdrawn.

Learned State counsel further submits that petitioners have already challenged the aforesaid order vide another CWP No.26385-2021 and, therefore, instant proceedings are rendered infructuous.

Disposed of as having been rendered infructuous.

Needless to say, any interim observations made in the present proceedings are not binding on the respondents and shall not affect the merits of the proceedings instituted vide CWP No.26385-2021.

(ARUN MONGA)
JUDGE

July 28, 2022

Vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No