

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

LPA-1681-2019

Date of Decision: 11.11.2022

Lakhwinder Singh

Versus

.....Appellant(s)

State of Haryana and others

....Respondent(s)

LPA-1682-2019

Sanjeev Kumar

Versus

.....Appellant(s)

State of Haryana and others

....Respondent(s)

LPA-1683-2019

Manjit Singh

Versus

.....Appellant(s)

State of Haryana and others

....Respondent(s)

LPA-1687-2019

Parjit Singh and others

Versus

.....Appellant(s)

State of Haryana and others

....Respondent(s)

LPA-1689-2019

Tarsem Pal

Versus

.....Appellant(s)

State of Haryana and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Sunil Kumar Nehra, Advocate, for the appellants.

Ms. Palika Monga, DAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

The present order shall dispose of 5 appeals i.e. LPA Nos.1681
to 1683 of 2019, LPA Nos.1687 and 1689 of 2019 as all the appeals arise out

of the common judgment dated 18.07.2019 passed by the learned Single

Judge.

Challenge in the present letters patent appeal is to the order passed by the learned Single Judge dated 18.07.2019 wherein, bunch of cases was dismissed, lead case being CWP-32035-2018, Ashok vs. State of Haryana and others. The learned Single Judge gave liberty as such to the writ petitioners therein to file civil suit on the asking of the counsel and also protected them by observing that the selection would be subject to the outcome of the civil suit, in case they chose to file the same.

Apparently, the petitioners-appellants have chosen not to do so in spite of liberty given and a period of more than 3 years has expired since then. The issue was regarding the dismissal of the objections against the selection process for the post of Drivers. The learned Single Judge has noticed that disputed questions have been raised as to which of them had cleared the test and whether any help was given while placing reliance upon various photographs and C.Ds.

In such circumstances, the reasoning which the learned Single Judge has given as such seems to be justified as it is settled principle that disputed questions cannot be decided in writ jurisdiction. It is also conceded position that the selection process is now complete regarding advertisement No.4 dated 18.05.2017 for the posts of Heavy Vehicle Drivers.

In such circumstances, we are of the considered opinion that once the benefit had been granted to avail the alternative remedy as per statement of counsel, which has not been chosen also and thus in the peculiar facts and circumstances, there is no scope for interference in the order of the learned Single Judge.

Accordingly, the present appeals stand dismissed.

(G.S. SANDHAWALIA)
JUDGE

11.11.2022
shivani

(HARPREET KAUR JEEWAN)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No