

CWP No. 7980 of 2019

2023:PHHC:111641

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102)

CWP No. 7980 of 2019

Date of Decision : 25.08.2023

Ved Parkash and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Singh Malik, Advocate and
Mr. Anshul Jain, Advocate for the petitioners.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the respondents, on instructions from Bhuvneshwar Kumar, Assistant and Ms. Inderpreet Kaur, Assistant District Attorney, O/o The Director State Transport, Haryana submits that though the question of law raised in the present petition was also raised in CWP No. 1067 of 2020 titled as ***Baljit Singh and others Vs. State of Haryana and others*** and other connected matters, decided on 26.04.2023 but the judgment, which has been relied upon in ***Baljit Singh's case (supra)*** passed in CWP No. 30286 of 2018, decided on 08.02.2023 titled as ***Gurinder Pal and others Vs. State of Haryana and others***, is already pending consideration in LPA No. 1179 of 2023.

2. Learned State counsel submits that either the present petition be adjourned to await the decision in LPA No. 1179 of 2023 or the petitioners be directed to give an undertaking before the department that in case, the judgment in ***Gurinder Pal's case (supra)*** is modified or set-aside in the appeal, the said decision will also be applicable upon the petitioners *ipso-facto* without there being any filing of the appeal in the present petition.

3. Learned counsel for the petitioners submits that the petitioners will give undertaking before the department that any decision passed in LPA No. 1179 of 2023, will be *ipso-facto* applicable upon the petitioners also.

4. Keeping in view the above, the present petition is allowed in same terms as in CWP No. 1067 of 2020 titled as ***Baljit Singh and others Vs. State of Haryana and others*** and other connected matters, decided on 26.04.2023 subject to any order to be passed in LPA No. 1179 of 2023, for which the petitioners will give undertaking to the department that in case, judgment in ***Gurinder Pal's case (supra)***, which has been relied upon in ***Baljit Singh's case (supra)***, is modified in any manner by the appellate court, the same will be *ipso-facto* applicable upon the petitioners as well.

August 25, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No