

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No. 402 of 2022 (O&M)

Date of Decision: 08.11.2023

Satish Kumar

.....Appellant

versus

The Indian Red Cross Society, Haryana State Branch and others

.....Respondents

CORAM: HON'BLE MS.JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE AMAN CHAUDHARY, JUDGE

Present : Mr. Ashwani Chopra, Senior Advocate with
Mr. Kshitij Sharma, Advocate and
Mr. Vidul Kapoor, Advocate, for the appellant.

Mr. Prateek Gupta, Advocate, for respondent No.2.

RITU BAHRI, ACTING CHIEF JUSTICE (oral)

The appellant-petitioner has filed this appeal against the order dated 01.12.2021 passed by the learned Single Judge whereby the writ petitions filed by the appellant have been dismissed.

Learned counsel for the appellant submits that the appellant-Satish Kumar was working as Accountant with District Red Cross Society, Rewari and thereafter promoted on the post of Secretary, District Red Cross Society Branch Rewari, subject to approval of the President, Indian Red Cross Society, Haryana State Branch. However, the approval was not given. Accordingly, the appellant approached this Court by filing a writ petition No. 16841-2017 and during the pendency of that writ petition the impugned order dated 25.01.2021 was passed by the respondents rejecting the recommendations dated 24.12.2014. The appellant thereafter challenged the said order by filing another Civil Writ Petition No. 7739 of 2021. Accordingly, both the writ petitions filed by

the appellant-petitioner were dismissed by the learned Single Judge vide order dated 01.12.2021 and in paragraph-11 of the impugned order dated 01.12.2021, it has been observed that the initial recommendation made for approval was without authority and jurisdiction. However, before dismissal of the writ petition on 01.12.2021, the appellant-petitioner had already retired from service on 30.06.2021. Since the recommendation itself was without jurisdiction, no case is made out to interfere in the impugned judgment passed by the learned Single Judge. The appeal accordingly stands dismissed. However, strictures passed in para-11 of the impugned judgment are being deleted.

Since main appeal itself has been dismissed, no orders are required to be passed in CM No. 989-2022.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

08.11.2023
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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√