

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

277

CWP-15177-2022 (O&M)
Decided on : 05.12.2023

Divesh

..Petitioner

versus

State Of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jangveer Singh, Advocate for
Mr. R. Kartikeya, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the question of law raised is whether, an application which has been filed prior to the amendment to the Haryana Outstanding Sports Persons (Recruitment and Conditions of Service) Rules, 2018 as amended in the year 2021 will be governed by amended rules or by unamended rules.

2. Learned counsel for the petitioner submits that the only question of law raised in the present petitions is as to whether the policy which was applicable on the date of submitting the application form by the petitioner to claim benefit of appointment will be applicable or the subsequent amended policy of the year 2021 will be applicable and the said question of law has already been decided by this Court by passing order in CWP-19244-2019-**'Arvind and others v. State of Haryana and others'**, decided on 05.09.2023 and the question of law raised in the present petitions is also the same.

3. Learned State counsel on the other hand submits that the said

question is already pending consideration before the Division Bench Court in LPA No. 691 of 2022.

4. Keeping in view of the fact that a detailed order has already been passed on the same issue as raised in the present petition, mere the pendency of the LPA in another case will not take away the right of the petitioner to claim the benefit under the judgment of this Court in CWP-19244-2019 titled as 'Arvind and others v. State of Haryana and others'. .

5. Further, no LPA has been filed so far against the judgment passed in Arvind's case (Supra), hence, the present petition is also allowed in the same terms as in CWP-19244-2019 titled as 'Arvind and others v. State of Haryana and others'.

6. The present petition stands disposed of in above terms.

7. Civil miscellaneous application pending, if any, is also disposed of

(HARSIMRAN SINGH SETHI)
JUDGE

05.12.2023

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Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No