

C.M. Nos.12911-CWP of 2023 & 12913-CWP-2023 in/and
RA-CW No.277 of 2023 (O&M) in CWP No.18715 of 2018

Bhim Singh Vs State of Haryana and others

Present: Mr. Pankaj Midha, Addl. A.G. Haryana
for the applicant-respondents.

C.M. No.12911-CWP of 2023

The present application has been filed for condoning delay of 280 days in filing the review petition.

For the reasons stated in the petition, which is duly supported by an affidavit, the same is allowed and delay of 280 days in filing the review petition is condoned.

RA-CW No.277 of 2023

The present review petition has been filed for recalling order dated 29.09.2022 by which the main writ petition was allowed in terms of judgment passed in CWP No.10051 of 2013 decided on 27.04.2016 titled as ***Prithvi Singh Vs. State of Haryana and others***. The said petition was allowed, as the learned State counsel conceded that the question of law raised in the present petition is covered by the decision passed in ***Prithvi Singh's case*** (supra).

Today, learned counsel for the review applicants submits that as the judgment passed in ***Prithvi Singh's case*** (supra) was upheld by the LPA Bench by dismissing the Letters Patent Appeal on the ground of limitation, no benefit of order passed by the Coordinate Bench while deciding CWP No.10051 of 2013 can be extended to the similarly situated employees.

Nothing has been brought to the notice of this Court as to what incorrect facts have been noted in the order dated 29.09.2022. Once the question of law raised in the present petition is covered by the judgment passed in ***Prithvi***

Singh's case (supra), merely that LPA in *Prithvi Singh's case* (supra) was dismissed on the ground of limitation will not give a right to the respondents to file the review petition.

Learned counsel for the review applicants further submits that while passing the judgment in *Prithvi Singh's case* (supra) by the Coordinate Bench, reliance was placed upon judgments rendered in other cases wherein the LPA is still pending consideration with the Division Bench.

In this regard, it is submitted that once the said argument was not raised by the review applicants while arguing the LPA in *Prithvi Singh's case* (supra), the said argument cannot be raised in the review petition filed in the present case.

No ground is made out for interference.

Dismissed.

C.M. No.12913-CWP of 2023

Application for seeking stay of order dated 29.09.2022 is also dismissed as such.

(HARSIMRAN SINGH SETHI)
JUDGE

August 10, 2023

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No