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

**CM-14957-CII-2022 in/and
COCP-2001-2022 (O&M)
Date of decision: 10.01.2023**

Jaswant Singh

... Petitioner

Vs.

Vijay Kumar Janjua and anr.

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Arun Singla, Advocate
for the petitioner.

Mr. Aayush Sarna, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

CM-14957-CII-2022

For the reasons stated in the application, same is allowed and date
of hearing is preponed from 21.02.2023 to today.

CM stands disposed of.

COCP-2001-2022

The petitioner alleges violation of the order dated 17.05.2016, vide
which, while setting aside the order dated 14.08.2008, a direction was issued to
pass a reasoned order.

The said order is upheld in the LPA vide order dated 02.12.2016

and thereafter, State filed SLP (c) No.18561/2017, wherein the following order was passed on 27.04.2022: -

“Though the questions are sought to be raised by the appellants, that the demise of the respective army personnels could not have been treated as “Battle Casualty” but looking to the fact that the appellants themselves considered the matters after passing of the order by the learned Single Judge; and indeed passed speaking orders with the proposition of giving class IV posts to the respective respondents by way of compassionate appointment, we are not persuaded to consider interference in these matters under Article 136 of the Constitution of India. However, we deem it appropriate to leave the question of law open.

Accordingly, these petitions stand dismissed while leaving the question of law open. Needless to observe that the orders as passed by the High Court in relation to these matters shall remain case-specific and any other matter involving akin issues shall be dealt with on its own merits and in accordance with law.

All pending applications stand disposed of.”

Learned State counsel has filed affidavit of the Director, Defence Services Welfare, Punjab, in which the petitioner is offered appointment on the post of Clerk (Group C) in the Department of Directorate of Defence Services

Welfare, Punjab on compassionate ground.

In view of the above, no further cause for continuation of the present petition is made out and the same is rendered as infructuous.

Liberty is granted to the petitioner to challenge the aforesaid order before the appropriate Court, if so required.

**[ARVIND SINGH SANGWAN]
JUDGE**

10.01.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No