

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(103)

CM-3601-C-2023 in/and  
RSA-2812-2012  
Date of Decision : 21.04.2023

Ex. Constable Waris Masih

...Appellant

Versus

State of Punjab and others

...Respondents

***CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present: Mr. R.K. Arya, Advocate for the appellant.

Mr. Rohit Bansal, Senior Deputy Advocate General, Punjab.

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**Harsimran Singh Sethi J. (Oral)**

**CM-3601-C-2023**

Present application has been filed for recalling of the order dated 27.03.2023.

Learned counsel for the appellant submits that the present appeal was disposed of with liberty to file an appeal, whereas the remedy of appeal has already been availed and, therefore, no second appeal can be filed hence, the order dated 27.03.2023 may kindly be recalled.

Notice of the application to the counsel for the respondents.

Mr. Rohit Bansal, learned Senior Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and raises no objection for the grant of prayer as made in the present application.

Keeping in view the facts mentioned in the application, which are duly supported by an affidavit, the order dated 27.03.2023 is recalled and the appeal is restored to its original number and status.

**RSA-2812-2012**

Learned counsel for the appellant submits that the appellant intends to file a representation claiming the benefit as extended to the similarly situated employees. Learned counsel further submits that as the appellant is litigating since long, the respondents may be bound to decide the representation in a time bound manner.

Learned State counsel submits that in case any representation is filed claiming any relief, the same will be decided within a period of eight weeks in accordance with law.

Keeping in view the facts mentioned here-in-above, the present regular second appeal is disposed of having been not pressed any further with liberty as prayed for and in case, any such representation is filed within a period of one month of the receipt of copy of this order, appropriate order on the said representation will be passed within a period of eight weeks of the receipt of any such representation.

**April 21, 2023**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*