

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

LPA-898-2023 (O&M)

Date of decision:11.09.2023

Jagdish Kumar and others

....Appellants

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Kamaldip Singh Sidhu, Advocate,
for the appellants.

ARUN PALLI, J. (Oral)

CM-2308-LPA-2023

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 47 days in filing the accompanying appeal is condoned.

CM-2309-LPA-2023

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 77 days in re-filing the accompanying appeal is condoned.

Main case

This is an intra court appeal, under clause X of the Letters Patent, against an order and judgment dated 23.08.2022, vide which the writ petition preferred by the petitioners has since been dismissed:

“Learned counsel for the parties agree that the question of law raised in the present petitions is covered by the decision rendered by a Coordinate Bench of this Court in CWP No.1426 of 2020 titled as Mahabir Singh and others vs. State of Haryana and others decided on 20.02.2020 wherein, the similar claim raised has already been rejected and the LPA filed against the said decision has also been dismissed being LPA No.255 of 2021 titled Jai Singh (Retd.) Inspector vs. State of Haryana and others, decided on 04.03.2021.

Keeping in view the above, as the similar prayer as being raised by the petitioners in these petitions already stand rejected by the Coordinate Bench of this Court, which order of the Coordinate Bench in Mahabir Singh's case (supra) has already attained finality as the LPA No.255 of 2021 has already been dismissed, no ground is made out to grant the prayer as raised in the present petitions.

Accordingly, all the writ petitions are dismissed.

A photocopy of this order be placed on the files of other connected cases.”

Upon being pointedly asked, learned counsel for the appellants fairly concedes that the questions/issues involved in the present *lis* were/are identical as in **Mahabir Singh and others Vs. State of Haryana and others (CWP-1426-2020)**, vide which, a similar claim raised by the petitioners therein was rejected by another learned Single Judge of this Court. And, as noticed in the impugned judgment, even the appeal, i.e. **LPA-255-2021, (Jai Singh (Retd.) Inspector) Vs. State of Haryana and others)**, preferred against the said decision, was also dismissed by a Coordinate Bench, vide order dated 04.03.2021. Accordingly, he submits that the matter in issue having been conclusively determined/decided, nothing substantive survives for adjudication in the present appeal. Thus, it is urged that the same be disposed of, in terms of the decision in **Jai Singh (ibid)**.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(HARKESH MANUJA)
JUDGE

September 11, 2023
Ak Sharma

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