

CM-20095-CWP-2023 in/and
RA-CW-401-2023 in
CWP-15432-2020

2023:PHHC:154358

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CM-20095-CWP-2023 in/and
RA-CW-401-2023 in
CWP-15432-2020
Date of Decision : 04.12.2023

Mohit Rathee

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Surender Pal, Advocate
for the review-applicant/respondent No. 4-along with
Ms. Jyoti Yadav in person.

Non-applicant/petitioner, Mr. Mohit Rathee in person.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-20095-CWP-2023

Present application has been filed for seeking condonation of
delay of 17 days in filing the review application.

Keeping in view the averments made in the application, which
are duly supported by an affidavit, the same is allowed and delay of 17 days
in filing the review application is allowed.

RA-CW-401-2023

Notice of the application to the non-applicant/petitioner.

The petitioner Mr. Mohit Rathee, who is present in Court,
accepts notice.

Learned counsel for the review-applicant/respondent No. 4 submits that the only apprehension of the respondent No. 4 is that though the respondent No. 4 has already withdrawn from the contest but she had reserved her right to raise all objections qua the grant of appointment in favour of the non-applicant/petitioner, to be raised before the Commission and in case, the Commission passes any order, which is contrary to the fact or law, the review-applicant/respondent No. 4 be given liberty to avail appropriate remedy including filing of a writ petition in case appointment is given to the non-applicant/petitioner.

The non-applicant/petitioner, who appears in person, submits that as of now, no appointment has been given to him by the Commission but in case, the same is given and the review-applicant/respondent No. 4 is of the view that the same is contrary to the law, he has no objection in case, she avails appropriate remedy available to her.

Keeping in view the above, the present review application is disposed of with the observation that in case, appointment is given to the non-applicant/petitioner by the Commission after considering his claim and the review-applicant/respondent No. 4 is aggrieved in any manner, she can avail appropriate remedy for the redressal of her grievance as available under law.

Review application stands disposed of in above terms.

December 04th, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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