

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107) LPA-277-2024 (O&M)
Decided on : 24.04.2024

Central University of PunjabAppellant(s)
Versus

Davinder Singh & anotherRespondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS.JUSTICE LAPITA BANERJI

Present: Mr.Vipul Aggarwal, Sr.Panel Counsel, for the appellant (s).

Mr.R.K.Malik, Sr.Advocate
with Mr.Sandeep Dhull, Advocate, for respondent No.1.

G.S. Sandhawalia, Acting Chief Justice (Oral)

CM-636-LPA-2024

1. Exemption application is allowed, as prayed for.
2. CM stands disposed of.

CM-633-LPA-2024

3. Application for condoning the delay of 43 days in filing the appeal is allowed, in view of the averments made in the application, duly supported by affidavit of the official. Delay of 43 days in filing the present appeal is hereby condoned.
4. CM stands disposed of.

LPA-277-2024 (O&M)

5. Consideration in the present appeal is to the judgment dated 02.11.2023 passed by the Learned Single Judge in CWP-23334-2016 whereby the writ petition was disposed of on account of the fact that the writ petitioner had filed application for withdrawal of the writ petition in the light of decision taken by the Executive Council in its 35th Meeting held on 11.11.2020.

6. The Learned Single Judge noticed that colleague of the writ petitioner had been offered appointment w.e.f. 10.06.2022 and since the writ petitioner had been seeking the benefit of appointment as Senior Technical Assistant (Computer) on regular basis having been appointed on contractual basis, the writ petition was disposed of. Counsel for the appellant herein had also made a statement that the case of the writ petitioner would be considered in the light of the case of Yadwinder Singh. An application thereafter came to be filed for modification of the order dated 02.11.2023 bearing CM-20314-CWP-2023 in CWP-23334-2016 which was dismissed on 05.12.2023 by noticing that the applicant was virtually seeking recalling of the order and there was no such reason to recall the order which was passed in presence of the counsel and with consent of the appellant herein.

7. Resultantly, we see no valid reason to interfere in the said order which is innocuous by nature as only consideration is to be done and thus no case is made out to entertain the present appeal. Accordingly, the same is hereby dismissed. All pending application(s) also stand dismissed.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

24.04.2024
Sailesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No