

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

LPA-432-2024 (O&M)
Decided on : 12.02.2024

Sukhvinder Singh and others

.....Appellant(s)

Versus

State of Haryana and others

.....Respondent(s)

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

Present: Mr. Inder Pal Goyat, Advocate for the appellant (s).

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

The present letters patent appeal is directed against the order dated 24.05.2023, whereby the application for listing the matter, which was adjourned *sine die* to await the decision of the Apex Court in **SLP Diary No.33265 of 2018 ‘State of Haryana and others Vs. Yogesh Tyagi and another’**, has been dismissed.

2. It is not disputed that appellant Nos.2 & 3 are still in service and, therefore, are not prejudiced in any manner at this stage, in view of the fact that the issue of regularization is to be finalized by the Apex Court. Regarding appellant No.1, it is also apparent that he has been out of service for the last one year, on his own fault, as he did not take up the acceptance of the offer given by the State to him, to opt for to continue to work, under the policy instructions of outsourcing of manpower through Haryana Kaushal Rozgar Nigam, as per Annexure A-8.

3. In such circumstances, we are of the considered opinion that the appeal is not liable to be entertained, in view of the law laid down in **Midnapore Peoples Co-op Bank Ltd. and others Vs. Chunilal Nanda and others, (2006) 5 SCC 399** . Even otherwise the appeal is also barred by 227 days and no justifiable reasons are given to condone the delay.
4. Dismissed.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

12.02.2024
Naveen

(LAPITA BANERJI)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No