

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

LPA-638-2024 (O&M)
Date of decision : 05.03.2024

State of Haryana and others

.....Appellants

Versus

Chander Parkash

....Respondent

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

Present: Mr. Deepak Balyan, Addl. Advocate General, Haryana.

G.S. SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. The present letters patent appeal has been directed against the order dated 25.07.2023 passed by the learned Single Judge passed in CWP-28098-2018, filed by Chander Parkash (respondent herein). The order reads as under :-

*“Learned counsel for the parties agree that the issue raised in the present petition is covered by the decision of this Court in **CWP No.23074 of 2010 titled as Ram Pal Patwari and others vs. State of Haryana and another, decided on 24.07.2015**, hence, the present petition be also disposed of in same terms and conditions.*

Ordered accordingly.”

2. A bare reading of the above order would go on to show that it is a consent order. Learned State counsel had agreed that the issue was covered by the decision dated 24.07.2015 rendered in CWP No. 23074 of 2010, titled ***Ram Pal Patwari and others Vs. State of Haryana and another.***

3. In such circumstances, we are of the considered opinion that the present appeal would not be maintainable, since what weighed with the learned State counsel to give his consent is not before this Court.

4. Faced with this situation, learned State counsel submits that the State may be permitted to avail its alternative remedy in accordance with law, if permissible.

5. Accordingly, the appeal is disposed of with the above observations. The application (CM-1563-LPA-2024) for condonation of delay of 191 days in filing the appeal and the miscellaneous applications are disposed of as having been rendered infructuous.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

March 05, 2024
ndj

Whether speaking/reasoned	Yes
Whether reportable	No