



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

375

CWP-8025-2001

Date of Decision: 23.05.2024

Subhash Chand Madkhan

.....Petitioner

Versus

State of Punjab & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vivek Suri, Advocate, with
Mr. Dushyant Godara, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. M. B. Rajwade, Advocate, for
Mr. Sangram Saron, Advocate, for respondent No.3.

Mr. Akshay Goel, Advocate, for respondent No.4.

AMAN CHAUDHARY, J.(ORAL)

1. Learned counsel submits that the prayer of the petitioner was based on principle of old vacancy old rule, however he is not in contact with client, who may have even retired during the interregnum.
2. Learned State counsel, on the other hand, refers to the judgment of Hon'ble the Supreme Court in **State of Himachal Pradesh and Ors. vs. Raj Kumar and others** (2023) 3 SCC 773, wherein the case of **Y.V. Rangaiah vs. J. Sreenivasa Rao**, (1983) 3 SCC 284, which held that vacancies arising before amendments will be governed by old rules and not amended ones, stands overruled.
3. Disposed of reserving liberty with the petitioner to get it revived in case need arises.

(AMAN CHAUDHARY)
JUDGE

23.05.2024
anil

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