



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 119)

LPA No.1204 of 2024 (O&M)
Date of decision: 28.11.2024

Krishan Kumar

..... Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Dalbir Singh, Advocate for the appellant.

* * *

DEEPAK SIBAL, J. (Oral)

(1) Through CWP No.21183 of 2020, the appellant had petitioned this Court seeking therein the following reliefs: -

“Civil writ petition under Articles 226/227 of Constitution of India for issuance of a writ in the nature of certiorari quashing the impugned order/notice dated 02.10.2020 (Annexure P-3) passed by respondent No.4, vide whereby the service of the petitioner has been terminated without issuing any so cause notice and without giving any opportunity of personal hearing to the petitioner, which is unjust, unfair and is against the principle of natural justice.

AND/OR

Further issue a writ in the nature of mandamus directing the respondents not to replace the petitioner with the daily wager or with similar another employee in the absence of regular employee, on being against the established law that an adhoc/ temporarily employee can not be replaced by another such employee till the regular selected candidate is available.

AND/OR

It is further prayed that operation of the impugned order/notice dated 02.10.2020 (Annexure P-3) passed by respondent No.4 may kindly be stayed during the pendency of present writ petition and the petitioner



may be allowed to do work on his post i.e. tubewell operator in the interest of justice.

AND/OR

Any other appropriate writ, order or direction which this Hon’ble Court deem fit and proper in the peculiar facts and of the present case.”

(2) During the pendency of the afore referred petition, the appellant filed an application being CM-11545-CWP-2022 in CWP No.21183 of 2020, duly accompanied by his own affidavit, seeking therein unconditional withdrawal of his petition. A learned Single Judge of this Court accepted the prayer made and through order dated 05.08.2022 permitted the appellant to withdraw his writ petition.

(3) After over 02 years of the dismissal of his petition, the appellant then filed an application being CM-3007-CWP-2024 in CWP No.21183 of 2020 seeking modification of the order dated 05.08.2022, which application of his was dismissed on 27.02.2024.

(4) Through the instant intra court appeal the appellant challenges the order dated 05.08.2022 and the order dated 27.02.2024.

(5) In the light of the afore undisputed facts, the instant appeal is not maintainable.

(6) Dismissed.

(7) All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

28.11.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

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