

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

**(112)**

**LPA-898-2024 (O&M)  
Decided on : 30.04.2024**

State of Punjab & others

Versus

.....Appellant(s)

Avinash Dalmotra

.....Respondent(s)

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

Present: Mr.Saurav Khurana, Addl.A.G., Punjab, for the appellant (s).

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

**CM-2191-LPA-2024**

1. Application for condoning the delay of 20 days in filing the present appeal is allowed, in view of the averments made in the application, duly supported by affidavit of the official. Delay of 20 days in filing the appeal is hereby condoned.

2. CM stands disposed of.

**LPA-898-2024 (O&M)**

3. Consideration in the present appeal is to the judgment dated 14.02.2024 passed by the Learned Single Judge in CWP-28074-2022 whereby the writ petitioner was granted the benefit of issuance of appointment letter to the post of Constable in the District Police and Armed Police Cadre in pursuance of the advertisement No.2 of 2021 dated 16.07.2021.

4. Mr.Khurana has placed on record affidavit of the writ petitioner dated 29.04.2024 wherein it has been averred that he had applied for the post of Clerk in this Court and has been selected and therefore, does not want to join to the post of Constable. Said affidavit is taken on record.

5. Keeping in view the above, we are of the opinion that the issue which is subject matter of consideration has now been rendered academic and there is no need to take a call on the same. Resultantly, we dispose of the present appeal with the direction that the order of the Learned Single Judge dated 14.02.2024 is not liable to be implemented and the State is not under any obligation to implement the said order in view of the undertaking given by the writ petitioner. It is however open to the writ petitioner to file appropriate application if what has been depicted is not correct.

6. With the above observations, the present appeal stands disposed of. All pending application(s) also stand disposed of.

(G.S. SANDHAWALIA)  
ACTING CHIEF JUSTICE

30.04.2024  
Sailesh

(LAPITA BANERJI)  
JUDGE

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|-----------------------------|-----|
| Whether speaking/reasoned : | Yes |
| Whether Reportable :        | No  |