

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(105) LPA-930-2024 (O&M)  
Sant Longowal Institute of Engineering and Technology and another  
.....Appellant(s)  
Versus  
Kulvir Singh Sidhu and others  
.....Respondent(s)

(2) LPA-1029-2024 (O&M)  
Sant Longowal Institute of Engineering and Technology and another  
.....Appellant(s)  
Versus  
Pardeep Kumar Jain and others  
.....Respondent(s)

**Decided on : 26.04.2024**

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

Present: Mr. J.S. Lalli, Deputy Solicitor General of India with  
Mr. Manish Verma, Advocate for the appellants.  
  
Mr. Ashwani Kumar Chopra, Sr. Advocate with  
Mr. Vidul Kapoor, Advocate  
for caveator/respondent Nos.1 to 5.  
  
Mr. Vishal Verma, Advocate for  
Mr. Prateek Gupta, Advocate  
for respondent Nos.58, 71, 120, 134, 136  
(in LPA-930-2024) and for respondent Nos.8, 13, 52, 57 & 58  
(in LPA-1029-2024).

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

**CM-2289-LPA-2024 in LPA-930-2024 &  
CM-2496-LPA-2024 in LPA-1029-2024**

Applications for condonation of delay of 102 days in filing the  
appeals, are allowed, in view of the averments made in the applications, duly  
supported by affidavit. Delay of 102 days in filing the appeals is condoned.

CMs stand disposed of.

**Main cases**

1. Consideration in the present letters patent appeals is sought of the orders of the learned Single Judge dated 30.11.2023 passed in **CWP-1288-2017 ‘Kulvir Singh Sidhu and others Vs. Union of India and others’** and **CWP-23695-2017 ‘Pardeep Kumar Jain and others Vs. Union of India and others’**.

2. A perusal of the impugned orders would go on to show that the concession has been taken from respondent Nos.2 & 3-Sant Longowal Institute of Engineering & Technology (SLIET). The financial layout as such of the burden admittedly to be paid by Union of India, but the counsel for Union of India was not present when the order was passed. In such circumstances, we are of the considered opinion that on the basis of concession given by respondent-SLIET, the matter could not have been disposed of.

3. We have also been taken through the reply filed on behalf of respondent No.1, which would go on to show that the specific stance was taken by the Union of India that SLIET was not established under NIT Act, 2007. Resultantly, it is argued that the judgment upon which the learned Single Judge had placed reliance upon would not be applicable, as conceded by counsel for the SLIET. The learned Single Judge has also not referred to the response of respondent No.1 in the said order.

3. In such circumstances, we are of the considered opinion that the matter would require reconsideration by the learned Single Judge. Resultantly, the present appeals are allowed and matter is remanded to the learned Single Judge for a fresh decision.

4. Needless to say that we have made aboveaid observations on the basis of the record and we have not gone into the merits of the case. The learned Single Judge will decide all the issues, since admittedly the SLIET is a Registered Society under the Societies Registration Act, 1860 as per the reply by respondent Nos.3 & 4 in the connected case i.e. CWP No.23695 of 2017. It is, however, made clear that anything observed herein will not prejudice the case of any of the parties, keeping in view the reasoning given above and all issues have been kept open for consideration.

5. The appeals stand allowed accordingly.

**(G.S. SANDHAWALIA)**  
**ACTING CHIEF JUSTICE**

**26.04.2024**  
*Naveen*

**(LAPITA BANERJI)**  
**JUDGE**

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