

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:066304-DB



(116)

LPA-1189-2024 (O&M)
Decided on : 13.05.2024

Baljit Singh and othersAppellant(s)
Versus
State of Haryana and othersRespondent(s)

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

Present: Mr. Ashok Bhardwaj, Advocate for the appellant (s).

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

Challenge by the present appellants is to the interim order dated 13.09.2023 passed by the learned Single Judge in CWP-24263-2021by filing an application for leave to appeal. By the said order the State was allowed to fill certain number of vacancies and certain conditions were imposed while modifying the earlier blanket stay order dated 08.03.2022, which would be clear from the order itself. The appellants herein were never respondents and have neither filed any application under Order 1 Rule 10 CPC to be impleaded before the learned Single Judge and rather are coming straightway by filing the present appeal. Therefore, the whole grouse is that the order was passed at the back of the appellants and without affording any opportunity of hearingThe main case is stated to be fixed for 09.07.2024.

2. In our considered opinion, it would be appropriate if the appellants first approach the learned Single Judge, as he is already well versed with the dispute in question and has balanced the interest of both sides, which would be clear from the order under challenge. The present letters patent appeal also is not maintainable, keeping in view the settled law in **Midnapore**

Peoples Cooperative Bank Ltd. and others Vs. Chunilal Nanda and others, (2006) 5 SCC 399. Resultantly, the present appeal is disposed of with the aforesaid liberty. All pending civil miscellaneous applications are also disposed of.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

13.05.2024
Naveen

(LAPITA BANERJI)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No