



CWP-13869-2024

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

(114)

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Date of Decision : May 31, 2024

Naveen

.. Petitioner

Versus

Haryana Staff Selection Commission and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhijeet Sharma, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that the petitioner has wrongly been relieved from service and the similarly situated employees, who also could not be selected in the second round, are continuing under the interim order of the Court passed by the Division Bench.

2. Notice of motion.

3. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

4. Learned counsel for the respondents submits that the question of law raised in the present writ petition has already been decided by this



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Court while deciding **CWP No.14063 of 2022 titled as Rahul Boora vs. State of Haryana and others, decided on 07.10.2023** and the claim of the petitioner is liable to be rejected keeping in view the findings recorded therein.

5. Learned counsel for the petitioner submits that the judgment of **Rahul Boora's case (supra)** is under appeal hence, the petitioner be granted the relief as granted by the Division Bench.

6. Learned counsel for the respondents submits that only interim order has been passed but the judgment has not been stayed hence, the judgment in **Rahul Boora's case (supra)** is applicable upon the case of the petitioner.

7. I have heard learned counsel for the parties and have gone through the record with their able assistance.

8. Learned counsel for the petitioner has not been able to rebut the fact that the question of law raised has already been decided by this Court while passing order in **Rahul Boora's case (supra)**.

9. Merely that the judgment is an appeal will not give right to the petitioner to claim the benefit contrary to the findings recorded in **Rahul Boora's case (supra)** by this Court.

10. Keeping in view the above, the present writ petition is also dismissed in view of the findings recorded in **Rahul Boora's case (supra)**.

May 31, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No