



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

RSA-547-2021 (O&M)
Date of Decision: 30.07.2024

MAHA RAM

... Appellant

V/S

THE SECRETARY TO GOVERNMENT
OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Anil Shukla, Advocate for the appellant.

Mr. Sharad Aggarwal, DAG, Haryana.

SUVIR SEHGAL, J. (ORAL)

1. Plaintiff-appellant is in second appeal before this Court challenging the concurrent finding recorded by both the courts below.
2. “Written statement” filed by respondents No. 1 to 4 is taken on record.

On 25.07.2024, this Court passed the following order:-

“Mr. Aggarwal, submits that plaintiff-appellant have (sic. has) filed a suit for declaration to the effect that he is entitled to regularization of service on the basis of government policy, dated 07.03.1996 along with all consequential benefits. He submits that suit was dismissed by the trial Court by judgment and decree dated 05.04.2019, however, in first appeal, learned Additional District Judge, Faridabad by judgment dated 18.01.2021 modified the judgment passed by the trial Court and disposed of the appeal by directing the defendants/respondents to consider case of the plaintiff-appellant for regularization of



service as per the award Ex.PW2/4 passed by the Labour Court-I, Faridabad. Referring to “written statement” filed before this Court by Deputy Conservator of Forest, Faridabad, respondent No.3, he submits that pursuant to the said direction, order dated 21.02.2022, Annexure R-1, has been passed rejecting the claim for regularization. He submits that as the appellate order has merged with order Annexure R-1, nothing survives in the appeal and the appellant, if so advised, has to challenge the freshly passed order.

Request of deferment has been made on behalf of arguing counsel for the appellant.

List on 30.07.2024.

To be shown in the urgent cause list.”

3. In view of the above development, counsel for the appellant seeks and is granted permission to withdraw the appeal with liberty to challenge order dated 21.02.2022 passed by the respondents.
4. Dismissed as withdrawn with liberty as aforesaid.
5. Pending application, if any, also stands disposed of.

30.07.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No