

RA-CW-247-2023(O&M) in
CWP-27328-2018

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

RA-CW-247-2023(O&M) in
CWP-27328-2018
Date of decision:-07.03.2024

Zile Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE SUVIR SEHGAL

Present: Mr.Aman Bahri, Addl.A.G., Haryana
for applicants/respondents No.1 to 3.

Mr.Sandeep Thakan, Advocate
for the non-applicant/petitioner.

SUVIR SEHGAL, J.(ORAL)

CM-3856-2024

For the reasons mentioned in the application, it is allowed.

Date of hearing of the review application is preponed to today and it is
taken on Board.

RA-CW-247-2023(O&M)

1. This review application has been filed under Order 47 Rule 1
CPC for review of the judgment dated 09.02.2023 passed by this Court in
CWP No.27328-2018.

On 07.08.2023, this Court passed the following order:

“On request of State counsel, adjourned to 28.09.2023.

State shall file an affidavit apprising the Court:-

*(i) whether the judgment in CWP-27797-2013 titled as **Parmod***

Kumar Versus The State of Haryana and others decided on 20.11.2017, Annexure P-5, has been implemented; and (ii) as to why it was not stated in the reply dated 05.08.2020 filed on behalf of the State that the instructions, Annexure P-1, have been withdrawn vide letter dated 04.11.2015, Annexure A-2.”

2. Pursuant to this order, an affidavit dated 09.11.2023 has been filed by the Divisional Forest Officer, Territorial Division, Charkhi Dadri, wherein it has been submitted that the judgment in Parmod Kumar’s case (supra) was unsuccessfully challenged and LPA No.638 of 2018 filed by the State was dismissed on 10.05.2018. The judgment passed in Parmod Kumar’s case (supra) has been implemented.

3. It has been further submitted that the instructions dated 20.06.2006, Annexure P1, were withdrawn on 04.11.2015, Annexure A2. However, this fact could not inadvertently be brought to the notice of the Court. It appears that this development not even brought to the writ Court or the LPA Bench in Parmod Kumar’s case.

4. This Court is therefore of the view that there is no error in the judgment passed by this Court.

5. Review application is dismissed.

6. Pending miscellaneous application (s), if any, stands disposed of.

07.03.2024

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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No

(SUVIR SEHGAL)
JUDGE