

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:024182

CWP-18811-2018 (O&M)
Date of Decision: 21.02.2024

JASWANT LAL

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner submits that question of law as raised in this petition has already been answered by this Court while passing order in CWP No. 12858 of 2018 titled as Chand Singh and others Vs. State of Haryana and others decided on 24.08.2023. Learned counsel for the petitioner submits that the present petition be also disposed of in the same terms.
2. Learned counsel for the State submits that the State has already decided to file an appeal against the said judgment, hence, the prayer of the petitioner that the present petition be also disposed of in terms of Chand Singh's case (supra), be rejected.
3. Learned counsel for the petitioner submits that once it is not being disputed that the claim of the petitioner is covered by Chand Singh's case (supra), mere decision to file an appeal should not be a ground to deny the same benefit to the petitioner and the petitioner also undertakes that in case the judgment in Chand Singh's case (Supra) is modified or set aside in any manner in appeal, the same be made applicable upon the petitioner *ipso facto* without even filing an appeal.

4. Keeping in view the statement of learned counsel for the petitioner, that in case the judgment in Chand Singh's case (supra) is modified or set aside in appeal, the same be made applicable on the petitioner, with the said condition/undertaking, the present petition is disposed of in terms of Chand Singh's case (Supra).
5. Pending applications, if any, shall also stands disposed of.

(HARSIMRAN SINGH SETHI)

(JUDGE)

21.02.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No