



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CM-16541-CWP-2025 in/and
CWP-924-2024
Date of Decision: 04.12.2025

Union of India and another

....Petitioners

Versus

Gurmail Chand and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. H.P.S.Ghuman, Advocate
for applicant/respondents No.3 and 4.

Ms. Himanshi Gautam, Advocate for
Mr. Saurabh Goel, Senior Standing Counsel
for non-applicant/petitioners.

Harsimran Singh Sethi, J. (Oral)

CM-16541-CWP-2025

The present application has been filed for recalling the order dated 08.10.2025 passed by this Court, by which the writ petition was disposed of in terms of the order passed by the Hon'ble Supreme Court in ***Union of India and others vs. N.M. Raut and others, 2024 SCC Online SC 3873.***

Learned counsel for the applicants submits that inadvertently, it could not be brought to the notice of the Court that as per the reading of the said judgment by the applicant, the same is not applicable, therefore, the issue be decided afresh.



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Notice of the application.

Ms. Himanshi Gautam, Advocate for Mr. Saurabh Goel, Senior Standing Counsel accepts notice on behalf of the non-applicant/petitioners.

Keeping in view the facts mentioned in the application, the order dated 08.10.2025 is recalled and the writ petition is restored to its original number and status.

On joint request of learned counsel for the parties, the writ petition is taken up for consideration.

CWP-924-2024 (O&M)

1. The present writ petition has been filed by the Union of India raising the grievance with regard to the order dated 21.03.2023 passed by learned Central Administrative Tribunal, Chandigarh Bench, by which the issue whether the ACP granted to the respondents was rightly granted or not, has been remanded back for fresh consideration. The authorities have been directed to decide whether the third financial upgradation has rightly been granted to the respondents or not and the same should be assessed after giving due opportunity of hearing to the respondents.

2. Learned counsel for the petitioners submits that the issue in the present writ petition is covered by the judgment of the Hon'ble Supreme Court in ***Union of India and others vs. N.M. Raut and others, 2024 SCC Online SC 3873.***

3. Learned counsel for the respondents objected to the same.

4. We have heard learned counsel for the parties.

5. As the matter has only been remanded back to the authorities for



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fresh adjudication, it will be within the jurisdiction of the authorities to decide the issue afresh by taking into consideration the judgment in *N.M. Raut’s case (supra)* as well as the objection raised by the other side and pass appropriate speaking order by giving due reasons to support the view taken while passing the speaking order.

- 6. Keeping in view the above, no further orders are required to be passed in the present writ petition. Disposed of in above stated terms.
- 7. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

December 04, 2025
Varinder

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No