



LPA-734-2025 (O&M)

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

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CM-1882-LPA-2025;
CM-1883-LPA-2025 in/&
LPA-734-2025 (O&M)
Date of Decision :05.09.2025

Jawinder Singh and others

...Appellants

Versus

Union of India and others

...Respondents

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

Present: Mr. Puran Singh Hundal, Senior Advocate with
Mr. Gursahib Singh Hundal & Mr. H.S. Dhandi, Advocates
for the appellants.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(joined through V.C.) with
Mr. Shobit Phutela, Senior Panel Counsel for respondent-UOI.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-1882-LPA-2025

Present application has been filed for condonation of delay of
630 days in filing the present appeal.

Notice of the application to the respondents.

Mr. Satya Pal Jain, Addl. Solicitor General of India (joined
through V.C.) with Mr. Shobit Phutela, Senior Panel Counsel accepts notice
on behalf of respondent-UOI and raises no objection for the grant of prayer
as mentioned in the present application.

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Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 630 days in filing the present appeal is condoned.

CM-1883-LPA-2025

Present application has been filed for bringing on record the legal representatives of appellant No.2 namely, Pal Singh, who has unfortunately died on 20.12.2023.

Notice of the application to the counsel opposite.

Mr. Satya Pal Jain, Addl. Solicitor General of India (joined through V.C.) with Mr. Shobit Phutela, Senior Panel Counsel accepts notice on behalf of respondent-UOI and raises no objection for the grant of prayer as mentioned in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, legal representatives of petitioner No.2 namely, Pal Singh as mentioned in Para-2 of the application are ordered to be brought on record subject to all just exceptions.

Amended memo of parties is also taken on record.

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1. In the present appeal, the challenge is to order dated 21.04.2023 passed by the learned Single Judge of this Court in CWP-3929-2020 as well as order dated 22.01.2025 passed by the learned Single Judge in the review application filed by appellants by which, the claim of the appellants herein for the grant of compensation on account of being apprehended and confined to jail during an operation carried out by Armed Forces at Golden Temple, Amritsar was rejected by the learned Single Judge.



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2. It may be noticed that by the same impugned judgment of the learned Single Judge dated 21.04.2023, total 26 writs petitions were decided. Against the said judgment passed by learned Single Judge, the present appeal as well as appeal being LPA No.1148-2025 titled as ***Balwinder Singh vs. Union of India and others*** was also preferred. The said LPA-1148-2025, challenging the same impugned judgment dated 21.04.2023 passed by the learned Single Judge while claiming the same relief as is being claimed here in this appeal came up for hearing before the Coordinate Bench of this Court and the same was dismissed by the Coordinate Bench on 22.07.2025.

3. Learned Senior counsel appearing for the appellants when apprised to the said fact, he concedes the said fact but submits that the said judgment dated 22.07.2025 passed by the Coordinate Bench of this Court is not correct and hence, no reliance can be placed upon the said judgment of the Coordinate Bench and rather ignorance has to be exercised qua said decision of coordinate bench of this Court while adjudicating upon the present appeal and the present appeal should be adjudicated upon independently keeping in oblivion the order dated 22.07.2025 passed by the Coordinate Bench of this Court in LPA-1148-2025.

4. Learned Senior counsel appearing for the appellants further submits that even otherwise, this Court is not bound by the judgment passed by the Coordinate Bench of this Court even though, the said decision passed by Division Bench of this Court has also been passed upon an appeal preferred against the judgment dated 21.04.2023 passed by the learned Single Judge, which judgment has been impugned in the present appeal as



well.

5. Learned counsel for the respondent-UOI submits that the same impugned judgment of the learned Single Bench dated 21.04.2023 has already been dismissed by the Coordinate Bench of this Court vide order dated 22.07.2025 by giving due reasons which reasons also exist for the purpose of adjudicating the present appeal hence, the judgment dated 22.07.2025 passed by the Coordinate Bench of this Court has to be made applicable and the present appeal is also liable to be dismissed keeping in view the judgment passed by the Coordinate Bench of this Court.

6. We have heard learned Senior counsel for the appellants as well as the respondent-UOI and have gone through the record with their able assistance.

7. Certain facts which have been noticed hereinbefore are conceded but are being mentioned again at the cost of repetition.

8. The claim raised by one Balwinder Singh before the learned Single Bench in CWP-3929-2020 as well as before the Coordinate Bench in the LPA-1148-2025 is akin to the relief claimed by the appellants herein in the writ petition as well as in the present appeal.

9. Further, the said claim of the appellants herein and appellant-Balwinder Singh in LPA-1148-2025 dated 21.04.2023 was decided by the Coordinate Bench of this Court by a joint order dated 22.07.2025. Appeals preferred against judgment dated 21.04.2023 of the learned Single Judge of this Court rejecting the said claim is on the similar grounds. Further, the said LPA filed against the said judgment passed by learned Single Bench by Balwinder Singh has been filed on the same grounds as in the present



appeal, which appeal has already been dismissed by the Coordinate Bench of this Court vide order dated 22.07.2025 giving certain reasons. It should be noted that the reasons given by the Coordinate Bench in judgment dated 22.07.2025 while deciding LPA-1148-2025 are also applicable in the facts and circumstances of the present case.

10. The argument which has been raised by learned Senior counsel for the appellants is that this Court should ignore the judgment dated 22.07.2025 passed by the Coordinate Bench of this Court in LPA-1148-2025 and should decide the present appeal afresh by giving appropriate findings as the judgment dated 22.07.2025 passed by the Coordinate Bench in LPA-1148-2025 is not applicable in the facts and circumstances of the present case.

11. It may be noticed that the judicial propriety demands that once, a Coordinate Bench of this Court has considered the similar plea as raised herein by appellants stands rejected and that to by giving due reasons, the argument that the bench should ignore the said judgment of Coordinate Bench cannot be accepted as the claim raised by Balwinder Singh in LPA-1148-2025 is akin to the claim raised by the appellants in the present appeal.

12. Further, the argument of the learned Senior counsel for the appellants that the judgment dated 22.07.2025 passed by the Coordinate Bench in the LPA-1148-2204 is not correct, the same aspect cannot be looked into by this Court while deciding the present appeal especially when any cogent reasons/evidence/facts/settled principle of law has been brought on record to underpin the said contention.

13. Further, qua the argument that counsel for the appellants was



not present when LPA-1148-2025 was decided, it may be noticed that even if, the counsel for the appellant was not present when the said LPA-1148-2025 was decided by the Coordinate Bench of this Court but the Coordinate Bench of this Court decided the same on merits giving due reasons for dismissing the said LPA, which LPA has been dismissed on merits and not on default hence, the said contention of the learned senior counsel for the appellants holds no ground. Once, the judgment passed by the Coordinate Bench upon the aspect that whether the impugned judgment passed by the learned Single Bench is correct or not, has been duly adjudicated and dismissed by giving due reasons on merits, this Court has no jurisdiction to comment on such reasons given by being a Coordinate Bench of this Court being a Coordinate Bench when the said reasons are also applicable in the facts and circumstances of the present case.

13. Learned Senior counsel for the appellants submits that adjustment of the appellants in the Government job was not the prayer made by the appellants but the claim of appellants qua grant of the compensation to the appellants herein.

14. It may be noticed that the Coordinate Bench of this Court in Para-4 of the judgment dated 22.07.2025 passed in LPA-1148-2025 has mentioned that the relief claimed before the learned Single Judge by the appellant has not been shown to have flown from any statutory provisions and claim is also grossly barred by laches hence, keeping in view the fact that the same impugned judgment passed by the learned Single Judge has already been upheld by the Coordinate Bench of this Court while passing order dated 22.07.2025 in LPA-1148.2025, no ground for interference by



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this Court is made out and the present appeal is accordingly dismissed in terms of LPA-1148-2025.

15. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 05, 2025

(VIKAS SURI)
JUDGE

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Whether speaking/reasoned : Yes

Whether reportable : No