



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

247

CWP-13063-2024 (O&M)
Date of decision: 16.01.2025

Pawan Kumar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Rajinder Goel, Advocate for the petitioners.

Mr. Amandeep Joshi, DAG Haryana.

Mr. R.K. Malik, Sr. Advocate with
Mr. Samrat Malik, Advocate
for respondents No.8, 10, 13 and 14.

Ms. Apurva Walia, Advocate for
Mr. Saurav Bhatia, Advocate for respondents No. 5, 7 and 9.

Mr. Sanchit Punia, Advocate for respondent No.11.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present petition is to the impugned order dated 05.12.2023 passed by respondent No.2 i.e. Excise and Taxation Commissioner, Haryana, whereby the representation of the petitioners was rejected on the ground that the retrospective promotion cannot be awarded since the order passed in CWP-20844-2015 was subject matter in Letters Patent Appeal No.15 of 2023.

Separate vakalatnama(s) on behalf of respondents No.8, 10, 13 and 14 as well as respondents No. 5, 7 and 9, have been filed today in the Court and the same are taken on record.



Learned counsel appearing on behalf of the petitioners contends that the Letters Patent Appeal preferred by the respondent-State have already been dismissed by a Division Bench of this Court and thereafter the SLP also stands dismissed. He contends that under the given circumstances, the foundation of rejection of the claim of the petitioners does not survive any further. He further submits that the petitioner would be satisfied at this juncture, in case, the respondents are directed to take a fresh decision on the representation of the petitioners in view of the changed circumstances.

Learned State counsel has no objection to the same.

Under the given circumstances, the present petition is **disposed of** with the consent of the parties and the respondent-State is directed to take a fresh decision on the legal notice dated 14.01.2023 (Annexure P-6) in light of the changed circumstances including the subsequent orders/judgments passed in LPAs as well as the SLP.

Let the needful be done within a period of 04 months from the date of receipt of certified copy of this order.

(VINOD S. BHARDWAJ)
JUDGE

16.01.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No