



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-17054-2016 (O&M)

Date of Decision: 01.05.2025

Vikas Deep Jain

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Satyaveer Singh Yadav, Advocate for the petitioner.

Mr. Saurabh Girdhar, A.A.G, Haryana.

Mr. Arjun Dhaliwal, Advocate for
Ms. Deepali Puri, Advocate for respondent No.3.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. Learned counsel for the petitioner submits that the issue raised in the present petition has already been decided by the Full Bench of this Court in *CWP-17310-2015, titled as 'Shamsher Singh and others versus State of Haryana and others'* decided on 19.07.2024, hence, the present petition be also disposed of in the same terms.

2. Learned counsel for the respondent submits that though, the said judgment is under challenge before the Hon'ble Supreme Court of India but, the same has not been stayed and only the contempt proceedings have been stayed.

3. Keeping in view the fact that it is not disputed that the question



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of law involved in the present petition has already been decided in the ***Shamsher Singh's case (supra)*** and the said judgment is not stayed by the Hon'ble Supreme Court, the present petition is also disposed of in terms of ***Shamsher Singh's case (supra)***.

4. It is made clear that in case, the judgment in ***Shamsher Singh's case (supra)*** is modified or set aside in any manner, the same will be *ipso facto* applicable upon claim of the petitioner. Any claim given to the petitioner on the basis of the said judgment, will be withdrawn in case, the judgment in ***Shamsher Singh's case (supra)*** is modified or set aside, keeping in view, the final order to be passed by the Hon'ble Supreme Court of India.

(HARSIMRAN SINGH SETHI)
JUDGE

May 01, 2025

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Whether speaking/reasoned	Yes
Whether reportable	No