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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-3400-2024 (O&M)

Date of Decision: 17th of March, 2025

RAMESH CHAND SHARMA

.....Appellant (s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present Mr. Parveen Kumar, Advocate for
 Mr. Abhimanyu Singh, Advocate for the applicant-appellant.

Mr. Sanjeev Kaushik, Addl. A.G., Haryana.

SANJEEV PRAKASH SHARMA, J. (Oral)

CM-8383-LPA-2024

For the reasons mentioned in the application, the same is allowed and delay of 197 days in filing the appeal is hereby condoned.

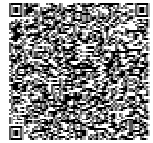
CM-8382-LPA-2024

Application is allowed and the appellant is exempted from filing certified copies/typed copies of the documents as mentioned therein.

LPA-3400-2024

1. By way of the present LPA the appellant has assailed order dated 07.05.2024 passed in CWP-10494-2024 by the learned Single Bench.

2. It is noticed that the appellant had earlier preferred a Writ Petition bearing No. CWP-17882-2015, seeking his reinstatement and the same was dismissed by the learned Single Bench Court on 27.08.2015. Assailing the said order, LPA-1763-2015 was preferred by the appellant, however, on the oral assertion that his case has been duly considered, the appellant withdrew his LPA on 20.05.2016, whereafter, the respondents-



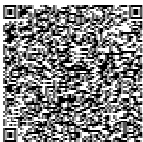
authorities did not examine his case. He therefore, moved an application seeking recalling of the order dated 20.05.2016 of dismissal of the LPA-1763-2015, in which the Court had passed the following orders on 02.06.2017 disposing of the application for recalling:-

“xxxx xxxx xxxx xxxx xxxx. However, it is clarified that if the authorities are inclined to reconsider the applicant/appellant’s case sympathetically, the order of withdrawal of appeal shall not cause any impediment.

With these observations, the application stands disposed of.”

3. It seems that the appellant had given representations on 10.12.2018 and on 20.08.2019 and thereafter he preferred another Writ Petition bearing CWP No.10494 of 2024 which was dismissed by the learned Single Bench holding the same to be not maintainable. Against the said order dated 07.05.2025 passed by the learned Singe Bench, the appellant is before us in the present LPA.

4. So far as the question with regard to the maintainability of the second Writ Petition is concerned, the law is well settled that the second Writ Petition with regard to the same prayer would not be maintainable and therefore, we do not find any fault in the impugned order dated 07.05.2024 passed by the learned Single Bench. However, taking into consideration the circumstances, and that the appellant has been left remediless, we **dismiss** the present LPA with the observations that any observations made by this Court or learned Single Bench would not come in way of the appellant in filing a representation to the concerned authorities which would examine



the representation on merits and pass a speaking order within a period of three months henceforth.

5. All pending applications in this case are disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[MEENAKSHI I. MEHTA]
JUDGE

March 17, 2025
Ess Kay

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No