



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. RSA-2427-1995 (O&M)
Decided on : 28.04.2026

DAYA SINGH AND ORS.

..Appellants

Versus

FARIDABAD COMPLEX ADMINISTRATION, FARDIBAD

..Respondents

2. RSA-1210-1998 (O&M)

TRIMILA THAKUR

..Appellants

Versus

BHIM SINGH

..Respondents

3. RSA-2549-1995 (O&M)

FARIDABAD COMPLEX ADMINISTRATION, FARIDABAD

..Appellants

Versus

KHAJJAN SINGH

..Respondents

4. RSA-2803-1995 (O&M)

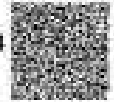
FARIDABAD COMPLEX ADMINISTRATION, FARIDABAD

..Appellants

Versus

SISHU PAL SINGH & ORS.

..Respondents



CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Hari Pal, Advocate
for Mr. Manuj Chadha, Advocate
for appellant Nos.1, 2 and 4 (in RSA-2427-1995).

Mr. Gaurav Singla, Advocate
for appellant No.3 (in RSA-2427-1995) and
for respondent No.4 (in RSA-2803-1995).

Mr. Aryaman Thakur, Advocate
for the appellants (in RSA-1210-1998).

Mr. Padam Kant Dwivedi, Advocate and
Ms. Anshu Gupta, Advocate
for the appellant (in RSA-2549-1995) and
respondent No.2 (in RSA-1210-1998).

Mr. Shreya Kaushik, Advocate
for Mr. Arjun Pratap Atma Ram, Advocate
for respondent No.2 (in RSA-2427-1995) and
for sole respondent (in RSA-2549-1995).

Mr. Piyush Bansal, Advocate
for the appellant (in RSA-2803-1995) and
for respondent No.1 (in RSA-2427-1995).

None for respondent No.1 (in RSA-1210-1998).

None for respondent Nos.1 to 3 and 5 (in RSA-2803-1995).

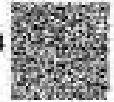
SUDEEPTI SHARMA, J.

RSA-2427-1995

1. The present regular second appeal is preferred against judgment and decree dated 10.06.1993, passed by learned Sub-Judge, First Class, Faridabad, whereby, the civil suit filed by the respondent No.2 was decreed in his favour and judgment and decree dated 23.08.1995 passed by learned Additional District Judge, Faridabad, whereby appeal filed by respondent No.1 was dismissed.

RSA-2549-1995

2. The present regular second appeal is preferred against judgment and decree dated 30.09.1992, passed by learned Sub-Judge, First Class,



Faridabad, whereby, the civil suit filed by the respondent was dismissed and judgment and decree dated 23.08.1995 passed by learned Additional District Judge, Faridabad, whereby, appeal filed by respondent against judgment and decree dated 30.09.1992 was allowed

RSA-2803-1995

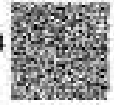
3. The present regular second appeal is preferred against judgment and decree dated 10.06.1993, passed by learned Sub-Judge, First Class, Faridabad, whereby, the civil suit filed by the respondent No.1 was decreed in his favour and judgment and decree dated 23.08.1995 passed by learned Additional District Judge, Faridabad, whereby appeal filed by appellant was dismissed.

RSA-1210-1998

4. The present regular second appeal is preferred against judgment and decree dated 05.10.1996, passed by learned Civil Judge, (Junior Division), Faridabad, whereby, the civil suit filed by the respondent No.1 was decreed in his favour and judgment and decree dated 24.05.1997 passed by learned Additional District Judge (IV), Faridabad, whereby appeal filed by Municipal Corporation, Faridabad was dismissed.

5. Vide order dated 27.09.1996, status quo order was passed by this Court.

6. A perusal of all the above referred to appeals shows that all the appellants/respondents have filed the civil suit for promotion as well as for reversion of appellants/respondents, therefore, vide this common order, all the appeals are decided together.



7. On 03.07.2024, Coordinate Bench of this Court passed the following order:-

“Mr. Randeep Tanwar, Advocate has put in appearance on behalf of appellant in RSA-2549-1995 and for respondent No.2 in RSA-1210-1998 and filed separate vakalatnama on their behalf, which are taken on record.

Mr.Gaurav Singla, Advocate has put in appearance for appellant No.3 in RSA-2427-1995 and for respondent No.4 in RSA-2803-1995 and filed separate memo of appearance on their behalf, which are taken on record.

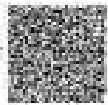
In view of the interim order dated 27.09.1996 passed by this Court, counsel for the Corporation shall apprise the Court by way of affidavit as to whether any of the parties are in service and whether anything worthwhile survives for consideration.

A photocopy of this order be placed on the connected case files.”

8. In compliance of order dated 03.07.2024 passed by this Court, affidavit of Additional Commissioner, Municipal Corporation, Faridabad, dated 24.08.2024 has been filed, which is taken on record.

9. The relevant paras of affidavit dated 24.08.2024, are reproduced as under:-

“8. That thereafter in view of the said order passed by the Hon'ble High Court status quo was maintained and the appellant in RSA No. 2427 of 1995 filed by Daya Singh & Ors and were respondent No. 2 to 5 in RSA No. 2803 of 1995 and the said person remained in service and continue to work with MCF. It is submitted that RSA No. 2427 of 1995, 2549 of 1995, 2803 of 1995 and 1210 of

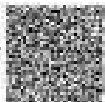


1998 were consolidated and admitted vide order dated 03.03.1997.

9. That it is further submitted that during the pendency of the said RSA(s) all the officials who were appointed directly to the post of the Assistant has been retired from the services of the Municipal Corporation, Faridabad and due service benefits has already been paid to them. The date of retirement of the officials who are party respondent in the said RSA(s) is as under:

Sr. No.	Name of officials	Date of retirement	RSA No.2803 of 1995	RSA No.2427 of 1995
1	Ms. Trimila Thakur	31.03.2005 (died)	--	--
2	Sh. Daya Singh, Assistant	30.06.2009 (died)	Respondent No.2	Appellant No.1
3	Sh. Balbir Singh	31.03.2016	--	--
4	Sh. Mahender Singh, Assistant	31.03.2018	Respondent No.5	Appellant No.4
5	Sh. Prem Parkash, Assistant	30.04.2022	Respondent No.3	Appellant No.2
6	Sh. Vijay Singh, Assistant	30.06.2024	Respondent No.4	Appellant No.3
7	Sh. Shishu Pal, Assistant	31.08.2006	Respondent No.1	--

10. That it is further worthwhile to mention here that as per Haryana Municipal Corporation employees (Requirement and Conditions) Service Rules, 1998 provided that in case of promotion to the post of Assistant 66 2/3% is by promotion from amongst Inspector (Octroi), Inspector (Taxation), Inspector (Accounts) or Senior Clerk Grade-II. 33 2% is by direct recruitment or by way of transfer or deputation of an official already in the service of any State Govt. or Govt. of India. After enforcement of the said service rules appointment and promotion is being made to the post of Assistant as per the above said procedure.”



10. In view of the above as on date with the efflux of time, nothing remains in all the above referred to regular second appeals, therefore, the same are hereby rendered infructuous.
11. Dismissed as having being rendered infructuous.
12. Pending miscellaneous applications, if any, are also disposed of.

28.04.2026

Ayub/Sahil

(SUDEEPTI SHARMA)
JUDGE

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