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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-5048-LPA-2024, CM-5049-LPA-2024,
CM-5050-LPA-2024 in/and RA-LP-67-2024

IN LPA-229-2024

Date of Decision: 31.01.2025

HARYANA STAFF SELECTION COMMISSION AND ANOTHER

.....Appellants(s)

V/s.

KASAM KHAN AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present Mr. Sanjeev Kaushik, Addl. A.G., Haryana,
for the review applicants-appellants.

None for the respondents.

SANJEEV PRAKASH SHARMA, J. (Oral)

CM-5048-LPA-2024

Application is allowed and the review applicants-appellants are exempted from filing certified copies of the documents mentioned in the application.

CM-5049-LPA-2024

For the reasons mentioned in the application, the same is allowed and delay of 195 days in filing the appeal is hereby condoned.

RA-LP-67-2024 (O&M)

1. The present review application is preferred seeking review/modification of the order dated 23.01.2024 passed by this Court in LPA-229-2024.

2. Learned counsel for the review applicant submits that while passing order dated 23.01.2024, this Court has relied on the judgment passed in CWP-6844-2017, titled as **Swati Gupta and Others** Vs. **State of Haryana and others** and it was noticed that no appeal has been preferred by the appellant-Commission or the State of Haryana in Swati Gupta's case (Supra). Considering that the said judgment has attained finality, the Court dismissed the Appeal in the present case vide order under review.



3. It is stated by the learned counsel for review-applicant that LPA-1983-2024 was preferred in the case of Swati Gupta titled as Haryana School Teacher Selection Board V/S Swati Gupta And Others wherein notice of motion has been issued and operation of the judgment passed in Swati Gupta's case (Supra) has been stayed vide order dated 22.11.2024. In light of the facts, he prays for review of the order dated 23.01.2024.

4. In the present case, notices were issued to the respondents and the same were duly served upon them.

5. Taking into consideration the aforesaid facts, we are of the view that contradictory orders ought not be allowed to stand and the order passed by the Court dated 23.01.2024 solely on the ground that no appeal was preferred by the Commission or the State of Haryana.

6. We, therefore, recall order dated 23.01.2024 passed in LPA-229-2024 keeping in view the fact that subsequently the appeal has been preferred in the Swati Gupta's case (Supra) and the order passed in the same has also been stayed. As a matter of consequence, LPA-229-2024 is restored to its original number and position and directed to be listed along with LPA-1983-2024 on 12.03.2025.

7. All pending applications in this review application are disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

[AMAN CHAUDHARY]
JUDGE

January 31, 2025

Ess Kay

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|------------------------------------|---|------------|---|-----------|
| <i>Whether speaking / reasoned</i> | : | <i>Yes</i> | / | <i>No</i> |
| <i>Whether Reportable</i> | : | <i>Yes</i> | / | <i>No</i> |