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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA-1537-2025 (O&M)

Date of Decision: 20.05.2025

DAYAVANTI

. . . . Appellant

Vs.

STATE OF HARYANA AND OTHERS

. . . . Respondents

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

Present: Mr. Chetan Mittal, Sr. Advocate with
Ms. Shifali Goyal, Advocate
for the appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

CM-3763-LPA-2025

Application for condonation of delay of 17 days in re-filing of
appeal is allowed, and accordingly the delay is condoned.

Main case

1. Learned counsel for the appellant fairly admits that the issue raised in the present appeal has been dealt with by this Court in *LPA No.1402 of 2025 decided on 12.05.2025 titled as "Preeti Malik and another vs. State of Haryana and Others"*, wherein this Court held as under:-

“4. So far as the present appeal is concerned, the appellants were neither in the list of 667 candidates nor they were included in 178 appointed candidate list. They however, preferred the writ petition with a claim that if 178 persons were offered appointment, they who possess Diploma from Kurukshetra University and were higher in merit than 178 candidates, should be given appointment. It was also submitted that they should be treated at par with



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178 candidates and be offered appointment, even if, be considered in 'diminishing cadre'.

5. Learned Single Judge has dismissed the petition, holding that such candidates to be beyond the number of posts and so far as 178 candidates, in our view, are a separate class carved out in a review petition. A scene of approval to the proposal of the State Government to treat such 178 candidates who already stood appointed as a separate class was given in a review order dated 03.07.2023.

6. We are of the firm view that we cannot interfere in the order passed by the Supreme Court. The exercise stands completed and closed after the final order dated 03.07.2023 passed in the review petition. The claim of the appellants solely on the basis that they are more meritorious than such 178 persons, is found to be without basis as the said 178 persons form a separate class as recognized by the Supreme Court. No place of discrimination or violation of Article 14 of Constitution is thus, made out. The writ petition has been rightly dismissed."

2. In view of the above, present appeal stands dismissed. The observations and order passed above shall apply *mutatis mutandis* to the instant case.
3. All pending applications also stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

20.05.2025

Mohit goyal

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No