

**IN THE COURT OF MANILA CHUGH,
ADDITIONAL DISTRICT JUDGE,
LUDHIANA. (UID No. PB0205)**

CIS No. CMA-319-2023
CNR NO. PBLD01-019439-2023
Decided on: 29.08.2023

1. Mitter Sain Goyal @ Mitter Sain Meet son of Sh. Sehj Ram Gupta aged 68 years resident of 279, St. No.5, Upkar Nagar, Civil Lines, Ludhiana.
2. Harbaksh Singh Grewal son of Joginder Singh aged 70 years resident of 526/2, B-35, Near Government Senior Secondary School, Sunet, BRS Nagar, Ludhiana.
3. Rajinder Pal Singh son of Sh. Gurdial Singh aged 68 years resident of Near Water Tank, Hambran Road, Backside PAU wall, Dashmesh Nagar, Ayali Khurd, Ludhiana.

.....Appellants

Versus

1. State of Punjab through Principal Secretary, Higher Education and Language Department, Punjab.
2. Director, Language Department, Punjab.
3. District Language Officer, Punjabi Bhawan, Ludhiana.

..... Respondents

Appeal against the order dated 17.08.2023 passed by the Court of Ms. Radhika Puri, Ld. Additional Civil Judge Senior Division, Ludhiana whereby the application under order 39 Rule 1 and 2 read with section 151 CPC has been dismissed.

Claim in Appeal:- To accept the appeal and set aside the order under appeal and to allow the application under order 39 Rule 1 and 2 CPC.

Present: Sh.H. R. Dhanda Advocate, Ld. Counsel for the appellants
Sh. B.D. Gupta, Government Pleader on behalf of respondents.

JUDGMENT

By way of present appeal, appellants/plaintiffs have

challenged the order dated 17.08.2023 passed by the Court of Ms. Radhika Puri, Ld. Additional Civil Judge Senior Division, Ludhiana whereby the application moved by appellants under order 39 Rule 1 and 2 CPC was dismissed.

2. Brief factual matrix which requires mention for disposal of present appeal is that the Department of Higher Education & Language, Government of Punjab gave approval for constitution of State Advisory Board for recommendation of names for conferment of Punjabi Shiromani and other Shiromani Awards in the field of Literature vide notification dated 15-11-2002. In pursuance thereof, State Advisory Board and Screening Committee started making recommendations accordingly. To challenge the selection criteria adopted by the Board, a PIL was filed before Hon'ble Punjab and Haryana High Court bearing Civil Writ Petition 13913 of 2008 titled Pradeep Joshi versus State of Punjab and others, wherein affidavit dated 09-07-2009 was submitted by Secretary, Higher Education and Language Department, Punjab to the following effect:

“It is stated that in future State Advisory Board and Screening committee will be composed of such persons who have no conflict of interest between their own interest and their duty in selection of awardees. In other words it implies that if a member either of State Advisory Board or Screening Committee is also a nominee for the award he will have to resign from the membership of the committee

if his name is to be considered further.”

Thereafter, meeting of Sub Committee constituted vide notification dated 27-05-2009 was held on 08-09-2009 with the purpose of framing new policy for conferment of Shrimoni Awards and it was recommended that Rules of Sahitya Academy, Delhi and Punjabi Academy, Delhi would be followed. The above-said PIL was dismissed later for want of prosecution. Subsequently vide notification dated 02-06-2020, State Advisory Board was constituted by the State and vide notification dated 15-09-2020, Screening committee was constituted and awards were recommended for preceding six years i.e. from 2015 to 2020 extending to 18 categories vide list dated 03-12-2020. Now, it is the issuance of awards and cash incentives based on this list that was sought to be restrained by plaintiffs by filing suit for Declaration and Permanent Injunction. Plaintiffs claim themselves to be connected with Punjabi Language, Literature and Ethos; plaintiff No.1 being a published author in Punjabi Literature and plaintiffs No.2 and 3 being administrator of an NGO namely “Punjabi Bhasha Prasar Bhaichara” working for promotion and expansion of Punjabi Literature, Language and Culture. Their assertion is that the formation of State Advisory Board and of Screening Committee is against rules and sanction of law and the procedure adopted by them suffers from favouritism and nepotism without following proper criteria of selection and they sought restraint order against issuance of awards and cash incentives till disposal of suit by filing application under order 39 Rule 1 and 2 CPC.

The said application was dismissed vide impugned order.

3. I have heard rival contentions and have gone through the record with their able assistance. Opening his arguments, it was put forth on behalf of appellants that Ld. Civil Court had erred in dismissing the application on the ground of maintainability, jurisdiction and non-joinder of necessary parties whereas these issues ought to be decided at the final stage as the same are mixed questions of law and facts. It has been further argued that respondent/defendant No.3 of the present suit is District Language Officer, Punjabi Bhawan, Ludhiana and since the Language Department, Punjab has one of its offices at Ludhiana, it could not be said that the Court at Ludhiana had no jurisdiction to try the suit. Moreover, there are Educational Language Departments at Ludhiana which are under respondent/defendant No.1. Still further, appellants/plaintiffs had pleaded in para No.33 of the plaint that respondent/defendant No.3 did not recommend the names of eminent personalities residing in District Ludhiana for the purpose of conferment of awards and in corresponding para of written statement, it was submitted by the respondents that respondent/defendant No.3 was constantly in touch with local literary societies/ organizations and it was not necessary to send those names or recommendations directly by him. It was thus contended by Ld. Counsel for the appellants/plaintiffs that role of defendant/respondent No.3 was not denied and therefore, territorial jurisdiction of court at Ludhiana could not be ousted at preliminary stage. Furthermore, after holding that Court at Ludhiana

had no jurisdiction to try the suit, issue was framed on the same point and thus the findings of Ld. Civil Court are erroneous.

4. Ld. Counsel for appellants further argued that it was wrongly observed by Ld. Civil Court that no direct interest of appellants/plaintiffs was involved in the subject matter as the appellant/plaintiff No.1 Mitter Sain Goyal is a published author in Punjabi Literature and a candidate for conferment of award. Ld. Counsel for the appellants further challenged the legality of impugned order on the ground that it has been wrongly observed by Ld. Court that present suit was bad for non-joinder of necessary parties. On one hand, Ld. Civil Court had dismissed the applications moved by the awardees under order 1 Rule 10 CPC and on the other hand, the contention of respondents/defendants was accepted that present suit was bad for non-joinder of awardees in the suit. It was further urged that Ld. Civil Court wrongly dismissed the application under order 39 Rule 1 and 2 CPC by plainly observing in para No.11 of the impugned order that plaintiffs had failed to show any prima facie case in their favour, despite the fact that the case of appellants/plaintiffs had been admitted by respondents/defendants in their pleadings either by way of direct admission or by way of evasive reply. Admittedly no advertisements were given in any newspaper or social media to inform the prospective awardees to enable them to apply for conferment of awards. A secretive procedure was rather followed which was against fair play. Furthermore, Ld. Counsel for the appellants/plaintiffs relied upon paras No.8 and 9 of the

plaint containing pleadings to the effect that in a PIL filed in Hon'ble Punjab and Haryana High Court with regard to subject matter of the suit, an affidavit was submitted by Punjab Government through Secretary Higher Education and Language Department with the undertaking that Future Advisory Board and Screening committee would be composed of such persons who have no conflict of interest between their own interest and their duty in selection of awardees. Furthermore, the pleadings of appellants/plaintiffs in para No.9 are that after submitting of abovesaid affidavit, the respondents/defendants had formed a sub-committee vide notification dated 27-05-2009 to formulate new awards policy and the meeting of the sub committee was held on 08 September 2009 and in the meeting it was suggested that rules of Sahiyat Academy Delhi and Punjabi Academy Delhi would be followed and further that if any member of the board wishes consideration of his name for the award, he should resign from the board and that he would not be considered for award for the current period and that his name would be considered for the future awards. In the corresponding para of written statement, the respondents/defendants admitted above facts and further put forth that same procedure was followed in the selection process and also that procedure adopted by Screening Committee and State Advisory Board was strictly according to affidavit dated 09-07-2009 given before Hon'ble Punjab and Haryana High Court. However, virtually the above procedure was ignored by the State as is revealed from perusal of para

No.11-A of plaint and written statement. It has not been denied by respondents/defendants that Gulzar Singh Sandhu who had been selected for Punjabi Sahityat Rattan carrying a cash award of Rs.10 lacs is ex-officio member of Advisory Board being President of Punjabi Sahitya Sabha, Delhi and thus he was dis-entitled to be given an award. An evasive reply was filed by respondents/defendants that the State Advisory Board had considered the name of Gulzar Singh Sandhu after due consideration and his official capacity as president of Sahit Sabha was deliberately denied for want of knowledge. Further reliance has been placed by Ld. Counsel for the appellants on the pleadings contained in para No.26 of plaint and written statement admitting that ex-officio member Dr. Tejwant Singh Mann had got Shiromani Punjabi Sahitkar Award. It was thus vehemently put forth that huge public money was at stake in the process of issuance of awards conferred on the basis of procedure against the rules. Acceptance of present appeal was thus prayed for.

5. Per contra, Ld. Government Pleader representing the respondents has opposed the present appeal tooth and nail by putting forth that impugned order is speaking and legal and does not demand for any interference. It was put forth that the Court at Ludhiana had no jurisdiction as Language Department which deals with the process of conferment of awards is at Patiala and thus the plaintiffs had no occasion whatsoever to file the suit at Ludhiana merely because of the fact that there was a District Language Officer at Ludhiana. It was

further contended by Ld. Government Pleader that since the selected awardees whose direct interest was involved in the present suit were not impleaded as parties, the suit was bad for non-joinder of necessary parties. It was further urged that the case of respondent/plaintiff No.1 had been considered and rejected in the meeting of State Advisory Board and Screening Committee held on 03-12-2020 and 01-12-2020 respectively. It was further vehemently contended by Ld. Government Pleader that application under order 39 Rule 1 and 2 CPC moved by Ld. Counsel for the appellants/plaintiffs was correctly rejected by Ld. Civil Court as they were unable to establish prima facie case in their favour or balance of convenience and furthermore they were unable to show as to what irreparable loss would be caused to them in case injunction was not granted. For the purpose of grant of relief on the application under order 39 Rule 1 and 2 CPC, it is necessary that all the three ingredients must co-exist. Not even one ingredient was made out in favour of appellants/plaintiffs and it was so rightly observed by Ld. Trial Court in para No.11 of the impugned order. It was further put forth by Ld. Government Pleader that due procedure was followed in selection process of the awardees after due consideration by the State Advisory Board by virtue of notification dated 02-06-2020 which superseded the notification dated 15-11-2002 on the basis of which the State Advisory Board was constituted in the years of 2004, 2008, 2011, 2015 and 2020. It was further contended by Ld. Government Pleader that the procedure adopted by Screening Committee and Advisory

Board was strictly according to the affidavit submitted before Hon'ble Punjab and Haryana High Court dated 09-07-2009. Regarding the admission made by respondents/defendants in para No.9 of the written statement, it was contended by Ld. Government Pleader that the State had only admitted the fact that it was suggested that rules of Sahitya Academy Delhi and Punjabi Academy Delhi would be followed. So it was only a recommendation and rules of Sahitya Academy Delhi and Punjabi Academy Delhi were virtually not adopted by State Advisory Board and Screening Committee and selection procedure was based on "Vyakhya Pattar". Ld. Government Pleader further contended that as regards their pleadings in para No.9 of the written statement to the effect that "the same procedure is followed in the selection process", it means that same old procedure was followed for the selection process and not the rules of Sahitya Academy Delhi and Punjabi Academy Delhi. Ld. Government Pleader further put forth that the ex-officio membership of selected candidate Gulzar Singh Sandhu for the purpose of Sahitya Rattan could not be commented upon because of the fact that it was not clear as to which Sahitya Sabha was referred to in the pleadings put forth by appellants/plaintiffs in para No.11-A of the plaint. Ld. Government Pleader further contended that even if the procedure followed by State Advisory Board and Screening Committee in finalizing the list of selected candidates for conferment of awards was not strictly according to affidavit filed in Punjab and Haryana High Court in PIL, at the most it would amount to contempt of Court and the

same would not entitle the appellants/plaintiffs to any injunction from the court. It was thus prayed that present appeal be dismissed.

6. Having heard the rival contentions and having perused the impugned order, this Court finds that in the impugned order vide which application under order 39 Rule 1 and 2 CPC was dismissed, it was observed by Ld. Civil Court that plaintiffs had failed to show territorial jurisdiction of Court at Ludhiana to try the suit or the application. I have perused paras No.8 and 9 of the impugned order in this regard alongwith para No.33 of the pleadings of the parties and preliminary objection No.4 of written statement. Defendants objected to territorial jurisdiction of Court at Ludhiana on the ground that meeting of Screening Committee was held at Patiala and of State Advisory Board at Chandigarh and that head office of Language Department is at Patiala. However, there is no denial of the fact that respondent No.3 District Language Officer has its office at Ludhiana. Regarding the allegations of appellants/plaintiffs that respondent/defendant No.3 did not perform his part by not recommending even one name for the purpose of consideration in the meetings for conferment of awards, it has been replied by respondents/defendants that respondent/defendant No.3 was constantly in touch with local literary societies/organizations and people concerned with Art and Literature and it was not necessary for him to directly send names and recommendations and that no name was received in the office of District Language Officer, Ludhiana. So, at this stage, when the role of respondent/defendant

No.3 in the process of selection of candidates for the purpose of conferment of awards has not been denied, it would be a mixed question of fact and law to determine if the Court at Ludhiana had territorial jurisdiction to try the suit or not. Moreover after giving following specific findings in para No.8:

“So, on the basis of having office by defendant No.3 at Ludhiana, it does not confer any jurisdiction upon this Court to entertain the present suit.”

issue No.6 regarding jurisdiction has been framed by Ld.Civil Court vide order of even date. It is also not the case of respondents that any application for taking up issue of territorial jurisdiction as preliminary issue has been moved since last about two years after they entered appearance in present case. Therefore, above findings given by Civil Court in the impugned order cannot be held to be a valid ground to reject application under order 39 Rule 1 and 2 CPC.

7. Now adverting to the findings given by Ld. Civil Court that plaintiffs have failed to show their locus standi to file the suit, it has been observed in para No.10 of the impugned order that

“Furthermore, the plaintiffs have failed to show their locus standi to file the suit.....It is pertinent to mention here that no direct interest of plaintiffs is involved in the present subject matter. Further, if State suffers loss, it would not provide any authority to the plaintiffs to file the present suit in their individual capacity.”

However, in this very paragraph it has been observed by Ld. Civil Court that as per the case of the plaintiffs, their names were considered for conferring awards but the same was rejected. There is also available on record a published work of appellant/plaintiff No.1. Still further it has been contended by respondents/defendants in para No.2 of the preliminary objection of written statement that the name of appellant/plaintiff No.1 Mitter Sain Goyal was duly considered and rejected in the meeting of State Advisory Board and Screening Committee held on 03-12-2020 and 01-12-2020 respectively. In these circumstances, when appellant/plaintiff No.1 is not only shown to be a published author in Punjabi Literature but also a nominee whose name was considered in the meeting of State Advisory Board and Screening Committee for the purpose of conferment of award, it cannot be said at this stage, in the absence of evidence, that appellants/plaintiffs would have no locus standi to file the suit or application. It is pertinent to mention here that after giving findings that plaintiffs have no locus standi to file the present suit, issue No.3 was framed on the same point.

8. Now coming to the observations made by Ld. Civil Court to the effect that suit is bad for non-joinder of necessary parties. In this regard, following findings are given in para No.7 of the impugned order:

“Further the record shows that the aforesaid applications under order 1 Rule 10 CPC were moved by those persons, whose names were not considered for conferring any

award to them and as per record, their applications were dismissed by the learned Court. It is worth mentioning here that application under order 1 Rule 10 CPC was not moved by any one of the awardees, whose name has been selected for conferring award. So, before seeking the relief of permanent injunction restraining the defendants from conferring any award upon so called awardees, it was incumbent upon the plaintiffs to implead the aforesaid awardees as parties in the present case. Hence, it prima facie comes out that the present suit is bad for non-joinder of necessary parties.”

Now on perusal of the Civil Court record, this Court finds that during the course of proceedings, Ld. Civil Court had dismissed applications moved by Rehman Akhtar, Mohammad Bashir, Mohd. Jameel and Nadeem Ahmed under order 1 Rule 10 CPC. Out of abovesaid four applicants, the names of Rehman Akhtar, Mohd. Bashir and Nadeem Ahmed find mention in the list of awardees at Serial No.4. The above fact has been conceded by Ld. Government Pleader during the course of arguments. Further this Court takes note of the fact that the above applications moved by these awardees under order 1 Rule 10 CPC were contested by respondents by filing separate replies. It is also not the case of respondents that the above orders dated 27-01-2023 vide which the applications under order 1 Rule 10 CPC were dismissed have been put to challenge till date. Issue No.5 has already been framed by Ld.

Civil Court on objection of non-joinder of necessary parties and parties have been called upon to lead evidence. Therefore, at this stage, in view of above anomaly, this Court is unable to concur with findings of Ld. Civil Court whereby application under order 39 Rule 1 and 2 CPC was dismissed also on the ground of suit being bad for mis-joinder of necessary parties.

9. It is correctly pointed out by Ld. Government Pleader that for grant of temporary injunction the co-existence of three ingredients is to be established by the parties which are prima facie case, balance of convenience and irreparable loss and injury. In this regard, para No.11 of the impugned order is relevant wherein it has been observed that all the abovesaid three ingredients are missing.

10. Now this Court proceeds further to weigh the rival contentions to determine the correctness of above findings given by Ld. Civil Court. As regards the contention advanced by Ld. Counsel for appellants/plaintiffs that no advertisements were called by the State Advisory Board or Screening Committee before finalising the list of recommended awardees, the respondents have admitted above fact in the written statement and have put forth that there was no provision for calling for advertisements as per the settled procedure. It is not the case of appellants that giving of advertisements was a part of established procedure. In these circumstances, the argument of appellant involves desirability of a step in the procedure which is clearly beyond the scope of this appeal and therefore cannot be looked into by this Court.

11. Further adverting to the contentions advanced with respect to para No.9 of pleadings, it is argued by Ld. Government Pleader that as per the documents on record, it was only a recommendation resolved in meeting dated 08.09.2009 that the procedure adopted by Sahitya Academy, Delhi and Punjabi Academy Delhi would be adopted and virtually that policy was never adopted or implemented. With respect to the pleadings in para No. 9 of written statement to the effect that same procedure had been followed in selection of awardees, Ld. Government Pleader has put forth that by abovesaid "same procedure", it is meant "old procedure" and that "Vyakhya Pattar" had been followed for selection of awardees. At this stage, in the absence of evidence, pleadings of the parties and accompanying documents are the only material to adjudge this matter. After admitting the case of plaintiffs/appellants in para No.9 of the plaint to the effect that after submitting affidavit in Hon'ble Punjab and Haryana High Court, defendants formed a Sub-Committee vide notification dated 27-05-2009 to formulate new Awards Policy and that recommendation was made in meeting dated 08-09-2009 that procedure followed by Sahitya Academy, Delhi and Punjabi Academy Delhi would be adopted being fair and transparent, respondents/defendants pleaded that:

"The same procedure is followed in the selection process."

So, at this stage when parties are yet to adduce evidence, the contention advanced by Ld. Government Pleader that same procedure be interpreted as old procedure cannot be accepted.

12. Further, it is admitted by respondents in para No.8 of written statement that affidavit dated 09-07-2009 submitted by the then Principal Secretary Higher Education and Language Department before Hon'ble Punjab and Haryana High Court in PIL was followed. It has been further categorically pleaded by defendants/respondents in above-said para No.8 :

“It is pertinent to mention here that the procedure adopted by Screening Committee and State Advisory Board is strictly according to the affidavit submitted by the then Hon'ble Secretary Higher Education and Language on dated 09-07-2009.”

It was further pleaded by respondents/defendants in para No.7 of the written statement that

“No member has right to recommend the name of himself/herself or his/her relative. If he/she is willing to do so, in such circumstances he/she has to resign from his/her membership or Screening Committee and State Advisory Board & his name was considered in the next year awards.”

It is the specific stand of respondents/defendants that awards were decided by State Advisory Board unanimously.

At this juncture, it is pertinent to reproduce the above-said affidavit dated 09-07-2009 submitted by Secretary Higher Education and Language :

“It is stated that in future State Advisory Board and Screening committee will be composed of such persons who have no conflict of interest between their own interest and their duty in selection of awardees. In other words it implies that if a member either of State Advisory Board or Screening Committee is also a nominee for the award he will have to resign from the membership of the committee if his name is to be considered further.”

13. So, it is clearly stated in above referred affidavit that if a member either of a State Advisory Board or of Screening Committee is also a nominee for the award, he will have to resign from membership of the committee if his name is to be considered further. Here, the contentions of parties with respect to pleadings contained in paras No.11-A and 26 of the pleadings of both the parties are relevant. There is no denial by defendants/respondents about the fact that Gulzar Singh Sandhu referred to in para No.11-A of the plaint is the selected awardee as per the list dated 03-12-2020. Perusal of copy of list shows that he has been selected for award of ‘Punjabi Sahit Ratan’ for the year 2017. The respondents/defendants evasively denied in para No.11-A if above said Gulzar Singh Sandhu was President of Sahitya Sabha. During arguments, Ld. Government Pleader contended that appellants/plaintiffs had not put forth as to which Sahitya Sabha was being referred to and as such, there was no occasion for State to elaborate upon the Presidentship of Gulzar Singh Sandhu. However,

this contention is against the record as it is crystal clear from perusal of para No.11-A of the plaint that appellants/plaintiffs had categorically pleaded that the above-said selected awardee Gulzar Singh Sandhu was President of Punjabi Sahitya Sabha, Delhi. Ld. Government Pleader conceded that above-said Gulzar Singh Sandhu was member of State Advisory Board but he failed to point out any capacity other than his ex-officio membership being President of Punjabi Sahitya Sabha Delhi. It thus becomes evident on the face of it that the person who is ex-officio member of State Advisory Board is also a selected awardee meaning thereby that prima facie an absolute U-turn to affidavit filed before Hon'ble Punjab and Haryana High Court has been taken by respondents/defendants.

14. The name of Dr. Tejwant Singh Mann who is asserted to be an ex-officio member of State Advisory Board being President of Kendriya Punjabi Lekhak Sabha (Sekhon) as pleaded in para No.26 of the plaint also appears in the list of awardees at serial No.1 Punjabi Sahit Rattan for the year 2019. Now, in the corresponding para of the written statement filed by defendants/respondents, it has been pleaded by respondents/defendants that the selection of awards was done within the purview of the rules and regulations. It was further pleaded that the name of Dr. Tejwant Mann was considered for the years 2017,2018, 2019 and 2020 instead of years 2015 and 2016 respectively. However, it has not been denied by respondents/defendants that Dr. Tejwant Mann is not only an awardee as per the list dated 01-12-2020 but was

also the ex-officio member of State Advisory Board. There is also no denial of the fact that State Advisory Board constituted vide notification dated 02-06-2020 selected the list of awardees for the years 2015 to 2020. So it is prima facie evident at this stage that the undertaking given by respondents/defendants through Secretary Higher Education and language before Hon'ble Punjab and Haryana High Court by way of affidavit dated 09-07-2009 has not been honoured which is against the pleadings of respondents/defendants themselves that the procedure adopted by State Advisory Board was strictly according to the above-said affidavit. It is also against the stand of respondents/defendants themselves taken in para No.7 of the written statement that if a member is willing for consideration of his/her name for recommendation of award, in such circumstances, he/she shall resign from his/her membership of Screening Committee and State Advisory Board. The contention advanced by Ld. Government Pleader that non-honouring of affidavit dated 09-07-2009 furnished on behalf of State in Hon'ble Punjab and Haryana High Court would at the most amount to contempt is not tenable at this stage in the opinion of this Court.

15. Indeed conferment of awards is very important for promotion of Literature and it is imperative for any government to recognize the work of authors so that the zeal to promote and preserve literary work does not extinguish. But at the same time, the process of conferment of awards must not only be fair but also appear to have

been carried out fairly. A prima facie case is thus made out in favour of appellants/plaintiffs in view of above discussion and this Court does not agree with the findings given by Ld. Civil Court that no prima facie case was made out in favour of plaintiffs. Furthermore, since appellant/plaintiff No.1 is a published author in Punjabi Literature to which the list of awardees dated 03-12-2020 pertains to, the balance of convenience also lies in his favour. As regards the condition of irreparable loss, there is no denial to the fact that huge amount of public money/finances of State exchequer are involved, which if wrongfully disbursed would be extremely difficult to recover. Thus, all the three necessary ingredients required for grant of temporary injunction are made out in favour of appellants/plaintiffs. The findings given by Ld. Civil Court in para No.11 of the impugned order are found to be non-speaking and therefore cannot sustain. The present appeal, accordingly, stands accepted with the observation that respondents/defendants are hereby temporarily restrained from issuing the awards and cash incentives to the selected awardees as per list dated 03-12-2020, till final disposal of the suit.

16. Trial Court record be returned along with the copy of this judgment. Appeal file be consigned to the Record Room, Ludhiana, after due compliance.

Pronounced in the open Court.

Date of order: 29-08-2023

Sarabjot Kaur

(Manila Chugh)
Additional District Judge,
Ludhiana UID No.PB0205

Mitter Sain Goyal vs. State of Punjab and others

Present: Sh.H. R. Dhanda Advocate, Ld. Counsel for the appellants
Sh. B.D. Gupta, Government Pleader on behalf of
respondent/State of Punjab.

Arguments heard. Vide my separate detailed Judgment of
even date, the appeal stands accepted. Trial Court record be returned
along with the copy of this judgment. Appeal file be consigned to the
Judicial Record Room, Ludhiana after due compliance.

Pronounced in the open Court.

Date of order: 29-08-2023

Sarabjot Kaur

(Manila Chugh)
Additional District Judge,
Ludhiana UID No.PB0205