

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

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Civil Writ Petition No.9061 of 2015

Date of Decision: May 08, 2015

Naresh Kumar Sehgal

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Naresh Kumar Sehgal, petitioner in person.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner, who appears in person, states that he had earlier filed *Civil Writ Petition No.12920 of 2013*, which was disposed of in his absence, as the dates and the period during which the case was taken up for hearing, he was lodged in Central Jail, Gurdaspur in a criminal case under Section 306 IPC. He states that at the time of disposal of the said writ petition although his presence has been marked but actually he was not present in the Court.

He thus states that the orders, which have been passed therein on 27.01.2014 and 26.05.2014 could not have been passed had the petitioner been present in Court and thus now he has filed the present writ petition as the whereabouts of the said writ petition are not even known to the Registry.

On hearing the grievance of the petitioner, the Court is of the opinion that the primary contention of the petitioner is that the orders, which have been passed by this Court in Civil Writ Petition No.12920 of 2013, were actually passed in his absence whereas it may be that his presence has

inadvertently been recorded. The remedy, which is available to the petitioner, is to file an appropriate application in *Civil Writ Petition No.12920 of 2013* titled as *Naresh Kumar Sehgal Versus Union of India and others*. The present writ petition, therefore, would not be maintainable. He may, if he so wishes, file an appropriate application in *Civil Writ Petition No.12920 of 2013*.

The present writ petition, therefore, stands disposed of with above observations.

May 08, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**