

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

CWP No.22198 of 2014

Date of Decision:12.12.2016

Haryana Ex-Serviceman Contracting Agency (HESCA) ... Petitioner

Vs.

Union of India and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ravi Kapur, Advocate for the petitioner.

Mr. Rajvir Singh, Advocate for respondent No.1.

P.B. BAJANTHRI J.

In the instant writ petition, the petitioner has questioned the validity of the order dated 23.9.2014 passed by respondent No.3 and notice dated 23.9.2014 (Annexures P-11 and P-12 respectively).

Before filing of this petition, an order has been passed under Section 16 and 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 which has been placed on record as Annexure R-2.

Learned counsel for the petitioner submitted that Annexure R-2 was not in existence when the present petition was filed. Therefore, the same was not challenged.

In view of the order dated 28.9.2014 (Annexure R-2), the petition do not survive for consideration.

Accordingly, the petition stands dismissed reserving liberty to the petitioner to challenge order dated 28.9.2014 (Annexure R-2).

Limitation in challenging order dated 28.9.2014 (Annexur R-2)

may be considered sympathetically for the reasons that the present petition is pending since 2014.

12.12.2016
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No