

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

LPA No.1716 of 2016 (O&M)

Date of Decision : 06.09.2016

Sandeep Singla

....Appellant

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

...

Present: Mr. Ravinder Sharma, Advocate
for the appellant.

...

MAHESH GROVER, J.

The appellant is aggrieved of the recall of order dated
26.03.2015.

The appellant filed CWP No.4659 of 2015 where appropriate directions were issued to the Executive Engineer, Municipal Council Sangrur, Chief Engineer, Public Works Department (B&R), Sangrur, Executive Engineer, Circul Office, Sangrur, Deputy Director, Urban Local Bodies, Patiala, Deputy Commissioner, Sangrur and Sub-Divisional Magistrate, Sangrur to consider and decide the representation of the petitioner dated 03.01.2015. The court refrained itself from entering into the grievance set up by the appellant. Subsequently an application

came to be filed before the learned Single Judge by the respondents seeking recall of the order dated 26.03.2015 on the ground that the writ petitioner has concealed certain facts from the court regarding pendency of litigation in the civil court. The said order was recalled and notice of motion was issued in the writ petition with a direction that it be listed as per roster. The matter is now slated for hearing on 21.09.2016.

Learned counsel for the appellant contends that he has not concealed the facts and therefore, the recall of the order dated 26.03.2015 vide order dated 28.04.2016 is totally unwarranted.

We have heard the learned counsel for the appellant and found that the appeal is totally misconceived and frivolous. The appellant has a remedy before the learned Single Judge where the matter is still pending and he would have been at liberty to raise all these issues which he seeks to raise before this Court, on 21.09.2016, but instead of doing so, he has rushed to this Court by filing this absolutely frivolous appeal which has resulted in sheer wastage of time of the Court.

Consequently, the appeal is dismissed but with liberty to the appellant to raise all the issues before the learned Single Judge.

Apart from this, the appeal is also barred by an inordinate delay of 96 days which we do not intend to condone in

the absence of any plausible explanation.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

06.09.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No