

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

IOIN-CWP No.15757 of 2014(O&M)

Date of decision: 11.5.2016

Swaran Singh

... Petitioner

Versus

Chairman-cum-Chief Managing
Director, PSPCL & anr.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Harkirat Singh Sandhu, Advocate,
for the petitioner.

Mr. Inqulab Nagpal, A.A.G., Punjab.

Mr. Ashu Kaushik, Advocate,
for PSPCL.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

In the wake of passing away of the earlier arguing counsel for the petitioner and on being told that he was not feeling well for quite some time before his death, non-appearance of the counsel explained by continued ill health is accepted as sufficient cause for non-appearance which fact was not known or present in the mind of the Court on 8.1.2015 when it imposed costs of Rs.50,000/- on the petitioner for his conduct. Learned counsel appearing for the petitioner informs the Court that when Mr. Daljit Singh Rajput, Advocate, was alive the petitioner had asked him to withdraw the petition, but his counsel was prevented by ill health from appearing in the Court to make the statement.

In view of the special circumstances, the order dated 8.1.2015 is recalled. Order imposing costs is recalled. However, the petition is dismissed as withdrawn on statement made by Mr. Harkirat Singh Sandhu on instructions from the petitioner.

**(RAJIV NARAIN RAINA)
JUDGE**

11.5.2016