

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

COCN No.155 of 2014

Date of decision: 28.07.2017

Surinder Kumar Goel

..Petitioner

Versus

Mr. Bimal Julka and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Petitioner in person.

Mr. Vivek Singla, Advocate
for the respondents.

Daya Chaudhary, J. (Oral)

Learned counsel for respondents has filed counter affidavit on behalf of the respondents in the Court and the same is taken on record. Copy thereof has been supplied to the petitioner, who is appearing in person.

The claim of the petitioner has been considered and the same has been conveyed to him. Vide order dated 30.09.2013, it was directed to consider the grievance of the petitioner as per representation dated 03.08.2013 and to decide the same by passing a speaking order within a period of two months from the date of receipt of certified copy of the order. Approximately, a period of three years has been taken to decide the claim of the petitioner.

As per stand of the respondents, the order was not supplied by the petitioner well in time and the respondents were not aware about the passing of the order whereas the petitioner submits that the copy of the

order was supplied to respondents against proper receipt on 14.10.2013.

It cannot be said that the order was not in the knowledge of the authorities concerned and even after filing of contempt petition, much delay has been caused in complying with the order.

It has been mentioned in the affidavit that the issue raised by the petitioner falls within the purview of the Telecom Regulatory Authority of India (TRAI), which is the regulator for broadcasting and cable services. It has also been mentioned in para No.6 of the affidavit that the delay in considering the claim of the petitioner has occurred due to non-receipt of representation dated 03.08.2013. Respondents have taken long period even in communicating the order and a wrong averment has been mentioned in the affidavit that no order was received.

In view of the facts as mentioned in the affidavit, not only harassment has been caused to the petitioner but the matter remained pending before this Court after decision of writ petition as well as during pendency of the contempt petition. Accordingly, a cost of ₹50,000/- is imposed upon the respondents to be paid to the petitioner by way of draft within a period of one month. The petitioner is at liberty to challenge the order if he is aggrieved in any manner.

Disposed of accordingly.

28.07.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No