

204

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12221-2017
Date of decision : 03.10.2017

M/s Jay Tech Engineers and Contractors, Panipat

... Petitioner(s)

Versus

The Chief Engineer, Haryana Power Generation
Corporation Ltd. and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. D.S. Channan, Advocate and
Mr. RPS Cheema, Advocate
for the petitioner.

Mr. Sandeep Moudgil, Advocate
for respondent Nos.1 and 2.

Mr. Sunil K. Nehra, Advocate
for respondent No.3.

AJAY KUMAR MITTAL, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari*, quashing the order dated 08.05.2017 (Annexure P-8) passed by respondent No.2.

2. Upon notice of motion having been issued, learned counsel for respondent Nos.1 and 2 has filed an affidavit dated 02.10.2017 of Sh. V.K. Sethi, Chief Engineer, Rajiv Gandhi Thermal Power Plant, Haryana Power Generation Corporation Ltd. Khedar, Hisar/respondent, in Court today, which is taken on record. It has been stated in para 3 of the said reply that

the impugned order dated 08.05.2017 (Annexure P-8) has already been

withdrawn on 01.10.2017 and a fresh order shall be passed after affording the opportunity to the petitioner after compliance of principles of natural justice and the needful shall be done within 30 days. Para 3 of the affidavit reads as under:-

"3. That the deponent submits that the impugned order dated 08.05.2017 (Annexure P-8) has already been withdrawn on dated 01.10.2017 and afresh order after giving proper opportunity of hearing to the petitioner-firm in compliance of principle of natural justice will be issued. It is however, further submitted that the said process will take approximately 30 days from the date of filing of the said affidavit and therefore, such reasonable time may kindly be allowed to take the steps as stated herein above in the present affidavit."

3. In view thereof, it was submitted by the learned counsel for respondent Nos.1 and 2 that the present writ petition has been rendered infructuous and the same may be disposed of as such.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

03.10.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**