

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

**CWP No.2034 of 2017 (O&M)
Date of decision : February 03, 2017**

Om Parkash Vaid

..... Petitioner

Versus

Punjab State Power Corporation Limited and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Arya, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The petitioner claims the benefits of the First National Emergency from 28.04.1966 to 09.01.1968 along with interest.

It comes out that the petitioner had filed civil suit on 09.06.2011 before the learned Civil Judge (Sr. Divn.), Gurdaspur, claiming the benefits of First National Emergency period from 28.04.1966 to 09.01.1968 along with the benefits of Second National Emergency from 03.12.1971 to 19.06.1973. The Civil Court decreed the suit of the petitioner on 09.01.2015, granting him the relief regarding the Second National Emergency. The said judgment was not challenged in appeal and now has become final. Therefore, what has been declined by the Civil Court cannot be re-agitated by way of filing the writ petition. The present petition is nothing but the misuse of process of Court.

As such, the present petition is dismissed with costs of Rs.10,000/- to be deposited with the Legal Services committee of this Court.

**(KULDIP SINGH)
JUDGE**

February 03, 2017

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No