

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 303 of 2018 (O/M)
Date of decision : 17.1.2018

Manmohan Singh

..... Petitioner

Versus

Chairman cum Managing Director, PSPCL, and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Petitioner in person with Mr. Anshul Jain, Advocate.

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 ?

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KULDIP SINGH J. (ORAL)

Plaintiff-petitioner has filed a suit for permanent injunction against his department i.e. Punjab State Power Corporation Limited, Patiala, challenging his transfer. In the said suit, defendants appointed a counsel. Plaintiff-petitioner filed an application stating that sanction of controlling authority is required as per regulations 25, 26 and 27 of Punjab State Power Corporation Limited Regulations of Conduct of Business, 1980, and instructions dated 30.3.1977, to engage a counsel. Therefore, counsel has been engaged by corporation contrary to rules and written statement filed and arguments done by counsel are rendered infructuous and may be deleted from records being illegal.

After hearing the learned counsel for petitioner and petitioner present in person, I am of the view that in a civil litigation, engagement of a counsel by defendants is a matter between the defendants and their counsel. Plaintiff-petitioner, who is not party to the said contract between the

CR No. 7689 of 2017 (O/M)

counsel and defendants, cannot challenge the appointment of counsel merely by filing an application and requesting the Court that counsel should not be allowed to appear on behalf of defendants and all acts done by counsel should be deleted from records. The present application filed before the trial Court was a frivolous and present revision against impugned order dated 3.10.2017 (Annexure-P-9) is also frivolous. Therefore, instant revision is dismissed with costs, quantified at Rs. 10000/-, to be deposited before the Legal Services Authority, Ropar. In case, said costs is not deposited, the trial Court shall recover the same by using coercive methods.

(KULDIP SINGH)
JUDGE

17.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No