

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

CWP No.13176 of 2018 (O&M)

Date of Decision : 28.05.2018

Union of India

....Petitioner

Versus

PGI Medical Technologists Association
and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

Present: Mr. Namit Kumar, Advocate
Sr.Panel Counsel for the petitioner.

Mr.Ashwani Kumar Munjal
for the caveator/respondent No.4.

MAHESH GROVER, J. (Oral)

This writ petition has been filed against the order of the Central Administrative Tribunal, Chandigarh Bench, Chandigarh dated 10.07.2013. The dispute essentially was between PGI and the members of the Technologists Association. After the order of the Tribunal dated 10.07.2013 the PGI filed CWP-5932-2014 which was dismissed on 31.03.2014, against which SLP(C) No.15202 of 2014 was filed which met with the same fate on 11.07.2014. The petitioner, however, was granted liberty to go back to the High Court and file a review petition which he did by filing Review Petition No.495 of 2014 which was also dismissed on 26.09.2014, against which he again preferred SLP(C) No.30058-30059 of 2014 where the Hon'ble Supreme Court declined interference on the issue of maintainability of the second SLP vide order dated 27.09.2016. When this SLP was

pending after issuing notice initially the petitioner before us filed a written statement after a lapse of two years. However, this may not be significant at all to the present controversy. The petitioner then filed SLP(C) No.10168 of 2017 which was dismissed but with liberty approach this Court.

We have heard the learned counsel for the petitioner and Mr. Ashwani Kumar Munjal, who is present in person on behalf of the Association. We are of the opinion that the present petition is totally misconceived as the very same order of the Tribunal has been upheld by the High Court and the SLP against the same was dismissed. Even the review petition was declined, implying thereby that this order of the Tribunal dated 10.07.2013 has found approval. The petitioner was alive to the situation when he filed the written statement before the Hon'ble Supreme Court in the SLP preferred by the PGI. No attempt was made by the petitioner to impugn the order of the Tribunal. It has been urged before us by the learned counsel for the petitioner that he filed the SLP before the Hon'ble Supreme Court under an impression that since the SLP filed by the PGI is pending, he would also get an appropriate hearing. We are not convinced of the fact because of the misleading content of the submission. The SLP filed by the PGI was dismissed on 27.09.2016, whereas the SLP filed by the petitioner was in the year 2017. There is absolutely no reason why this Court should entertain this petition after a lapse of five years, particularly when the petitioner was more than alive to the situation and did not raise any issue. That apart, this very order of the Tribunal has been upheld by

the Hon'ble Supreme Court.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

28.05.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No