

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 29539 of 2018(O&M)
Date of Decision: 28.11.2018

Sushil Kumar Sharma

.. Petitioner

vs.

The Central Administrative Tribunal, Chandigarh Bench, Chandigarh and
ors.

.. Respondents

Coram: Hon'ble Mr. Justice Rajiv Sharma
Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Manu K. Bhandari, Advocate
for the petitioner.

Mr. P.C. Goyal, Advocate
for respondent No.2.

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Rajiv Sharma, J.

The petitioner approached the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as 'the Tribunal') by filing two original applications No. 756-PB-2008 and 94-PB-2010, which were decided on 04.07.2014.

It was agreed between the parties that the case of the petitioner shall also be decided in view of the judgment rendered by a Coordinate Bench of this Court in CWP Nos.14974 of 2009 and 8622 of 2004, which were decided on 01.02.2016. Thereafter the case of the petitioner was considered but rejected vide order dated 14.03.2017. It is in these circumstances, two contempt petitions No. 60/92/2017 filed in OA No. 60/94-PB/2010 and CP No.60/76/2017 in OA No.60/756/2008 were filed.

Learned Tribunal has come to the right conclusion that the petitioner should have assailed the order dated 14.03.2017 separately instead of invoking section 17 of the Administrative Tribunals Act, 1985.

There is no irregularity and perversity in the impugned order rendered by the Tribunal.

Dismissed.

However, liberty is reserved to the petitioner to assail the order dated 14.03.2017 by filing fresh Original Application. The limitation would not come in the way of the petitioner since he was pursuing the remedy diligently under Section 14 of the Limitation Act, 1963.

(Rajiv Sharma)
Judge

(Harinder Singh Sidhu)
Judge

28.11.2018
Atul

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No