

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.2306 of 2016 (O&M) in
CWP No.9046 of 2011
Date of Decision: 18.05.2018

Cantonment Board, Jalandhar Cantt.

..... Appellant

Versus

Bharat Sanchar Nigam Limited and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Rahul Sharma, Advocate for
Mr. Mandeep S. Sachdev, Advocate
for the appellant.

Mr. Anil Rathee, Advocate
for the respondents.

RAJESH BINDAL J.

The learned Single Judge had decided Regular Second Appeal bearing No.1770 of 2011 and Civil Writ Petition bearing No.9046 of 2011 vide common order passed on 31.08.2016.

The issue for part of the period was raised by the respondents by filing a Civil Suit whereas for some part a writ petition was filed directly in this Court. The Regular Second Appeal as well as the Civil Writ Petition were allowed by the learned Single Judge by holding that no service charges are payable.

As against the Regular Second Appeal, as the only remedy available to the present appellant was to file a Special Leave Petition

before Hon'ble the Supreme Court, the same was done and Leave to Appeal in the same has been granted. Resultantly, Civil Appeal No.5567 of 2017 against the order passed in RSA No.1770 of 2011 is pending before Hon'ble the Supreme Court.

Against the order passed by the learned Single Judge in CWP No.9046 of 2011, the present intra-court appeal has been filed.

Once it is not in dispute that the same very judgment of the learned Single Judge which had disposed of RSA No.1770 of 2011 and CWP No.9046 of 2011, after grant of Leave to Appeal, is pending consideration before Hon'ble the Supreme Court, we dispose of the present appeal with a direction that the parties shall abide by the final order passed by Hon'ble the Supreme Court in Civil Appeal No.5567 of 2017 as and when rendered.

(RAJESH BINDAL)
JUDGE

(DEEPAK SIBAL)
JUDGE

18.05.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No