

**LPA No.3 of 2017 (O&M) in
CWP No.9851 of 2005**

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

**LPA No.3 of 2017 (O&M) in
CWP No.9851 of 2005
Date of decision: 8.5.2018**

Uttar Haryana Bijli Vitran Nigam Ltd. and others

....Appellants

Versus

Soran Singh and another

....Respondents

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

Present: Mr. Dushyant, Advocate for
Mr. G.S.Wasu, Advocate for the appellants.

RAJESH BINDAL, J.

Order passed by the learned Single Judge dated 12.2.2016 has been impugned by filing the present intra court appeal. Alongwith the appeal, an application seeking permission to place on record policy dated 23.2.1989 has been filed.

When the case was taken up on 23.2.2017 a specific issue was raised as to whether the aforesaid policy had been relied upon by the appellants before the learned Single Judge.

Alongwith CM No.1782 of 2018, affidavit of Ajay Bhardwaj, Advocate for the appellants before the learned Single Judge, has been filed specifically stating therein that the policy dated 23.2.1989 was not referred to before the learned Single Judge.

Once the ground on which order passed by the learned Single

Judge is sought to be impugned, was not even raised there, that cannot be a ground to impugn the same. Hence, the present appeal is dismissed. Consequently, the applications for condonation of delay in filing/re filing of the appeal are also dismissed. However, the applicants/appellants may avail of their remedy of filing a review application before the learned Single Judge, if so desired.

**(Rajesh Bindal)
Judge**

**(Deepak Sibal)
Judge**

May 8, 2018
Meenu

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