

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No. 609 of 2018 (O&M)
Date of decision: 13.7.2018

Raja Ram

... Appellant

Versus

Bhakra Beas Management Board, Chandigarh, and others

... Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Suram Singh Rana, Advocate, for the appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

This appeal has been filed under Clause X of the Letters Patent, challenging judgment and order dated 14.11.2017, passed by the learned Single Judge. Admittedly, the petitioner-appellant absented himself at the time of hearing and the learned Single Judge, after looking into the record, passed the impugned order. Record further reflects that on the earlier occasion also, the matter was listed but no one appeared on behalf of the petitioner-appellant.

Learned counsel for the petitioner-appellant submits that in identical facts and circumstances, *CWP No. 15966 of 1994 (Kewal Krishan Electrician Vs. Bhakhra Beas Management Board, Chandigarh and others)*, has been allowed by the same Court, vide judgment and order dated 5.2.2018, and directions have been issued to extend promotional benefits to the petitioner therein. It is vehemently contended that case of the petitioner-appellant herein stands on the identical footing as in the aforesaid writ petition, i.e. *CWP No. 15966 of 1994*.

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In our considered opinion, appropriate remedy available to the petitioner is to approach the same Court explaining the circumstances under which he could not appear, by making an appropriate application and annexing the judgment being cited before us.

Faced with the aforesaid facts and circumstances, learned counsel for the petitioner-appellant made a request to permit withdrawal of this appeal, with liberty to approach the learned Single Judge by making an appropriate application.

Prayer made is allowed and the Letters Patent Appeal stands dismissed as withdrawn, with aforesaid liberty.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 13, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO