

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RA-LP-42-2018 in LPA-111-2017

Date of decision: 03.10.2018

Haryana Vidyut Prasarn Nigam Limited and others

.....Applicants

Versus

Virender Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sanjay Kaushal, Senior Advocate with
Mr. Lalit Rishi, Advocate
for applicants-respondents No.1 to 6.

Mr. B.R. Mahajan, Senior Advocate with
Ms. Anupama Sharma, Advocate
for the non-applicants/appellants.

Mr. Vijay Jindal, Senior Advocate with
Ms. Jhanvi Sirohi, Advocate
for non-applicants/respondents No.7 to 25.

A.B. CHAUDHARI, J. (Oral)

CM-897-LPA-2018

No orders are required to be passed.

Application stands dismissed.

RA-LP-42-2018

This is an application filed under Order 47 Rule 1 read with Section 151 of CPC with a prayer to review the judgment dated 09.08.2018, passed by this Court in LPA-1515 of 2015 and other connected appeals.

Learned Senior counsel for applicants-respondents No.1 to 6 submitted that notification dated 14.11.2006 was not referred to when the judgment of the Apex Court in the case of **“Parveen Gera versus Haryana State Electricity Board and others (Civil Appeal No.7076 of 2010), decided on**

13.09.2017” was rendered. According to him, the said notification is material and hence, the judgment made by this Court needs review.

We have heard learned counsel for the rival parties on the present Review Application. We have carefully seen our judgment under review so also notification dated 14.11.2006 referred before us. At the outset, whether the said notification dated 14.11.2006 was pointed out when the case of **Parveen Gera (supra)** was decided by the Apex Court or not cannot be made ground for review of the judgment recorded by us.

That apart, the moot question that was raised for consideration while deciding the appeals was as to whether it was necessary to have 5 years experience after obtaining AMIE/BE Degree. We have held that post acquisition of AMIE/BE degree, experience of 5 years was essential. Obvious reason was that degree holders as compared to diploma holders cannot be brought at par merely because diploma holder had 5 years experience as such. Hence, they were bound to have 5 years experience after obtaining AMIE/BE qualification.

We therefore, re-affirm that experience of 5 years after obtaining AMIE/BE Degree was pre-requisite and was really the substance of the matter.

In the result, we do not find any merit in the present Review Application and the same is dismissed.

(A.B. CHAUDHARI)
JUDGE

(KULDIP SINGH)
JUDGE

03.10.2018
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No