

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.W.P No. 13681 of 2019 (O&M)

Date of decision: 22.05.2019

Union Territory Chandigarh & Ors.

.....Petitioners

Vs.

Nirbhay Tiwari & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE LALIT BATRA

Present:- Mr. L.S. Virk, Advocate, for the petitioner.

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MAHESH GROVER, J. (Oral)

On an earlier occasion the Central Administrative Tribunal has decided the claim of the respondent by directing the petitioners to consider his claim of regularisation. Upon passing a speaking order declining the relief, the respondents went before the Tribunal once again and in concluding para 10 the same direction has been given by the Tribunal i.e. to consider the claim of the respondents for regularisation and pass necessary orders. Para 10 is reproduced as under:-

“ In the wake of above discussion, this original Application is allowed. The respondents are directed to consider the claim of the applicant for regularisation and pass necessary orders keeping in view the findings recorded in favour of the applicant in earlier round of litigation, as discussed above, within a period of two months from the date of receipt of copy of this order.

11. The parties are, however, left to bear their own costs.”

In view of the above, there is no positive mandate to do a thing we are of the opinion that the petition is totally mis-conceived as the petitioners are bound to pass the order in accordance with the directives of the Central Administrative Tribunal.

Dismissed.

(MAHESH GROVER)
JUDGE

May 22, 2019
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(LALIT BATRA)
JUDGE

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