

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

207/13

LPA-391-2019 (O&M)

Date of decision: 11.11.2020

Haryana Vidyut Parsaran Nigam Ltd. and others

..... Appellant

Versus

Shishpal and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE S.N. SATYANARAYANA
HON'BLE MRS. JUSTICE ARCHANA PURI**

PRESENT: Mr. Deepak Balyan, Advocate for the appellants.

Mr. Jitender Goel and Mr. Shvetanshu Goel, Advocates
for the respondents.

S.N. SATYANARAYANA, J. (ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The appeal in LPA-391-2019 is filed by respondents in CWP-5596-2015. Admittedly, the writ petition in CWP-5596-22015 as well as the writ petition in CWP-8649-2015, are filed by the employees of respondent-Haryana Vidyut Parsaran Nigam Ltd. (HVPNL) in the said petition, stated to be working in the said organization for more than 25 years, without being regularized. When these two writ petitions

were taken up for consideration by the same Bench, the writ petition in CWP-5596-2015, titled as Shishpal and others Vs. Haryana Vidyut Parsaran Nigam Ltd. and others, was disposed of by order dated 08.05.2018. Simultaneously, the connected writ petition in CWP-8649-2015, was also disposed of by the very same Bench, on the same day with a cryptic judgment reading as under:

“In view of judgment of even dated passed in **C.W.P. No. 5596 of 2015** titled as **Shishpal and others vs. Haryana Vidyut Parsaran Nigam Ltd. and others**, this writ petition is allowed in the same terms.”

However, it is seen that the contesting respondents-Haryana Vidyut Parsaran Nigam Ltd. and others, filed appeal impugning the judgment in CWP-8649-2015, at the first instance in LPA-1407-2018, which came up for hearing before the Bench headed by His Lordship, Justice Krishna Murari, the then Chief Justice, which was dismissed by judgment dated 17.09.2018. The said judgment of co-ordinate Bench of this Court in LPA-1407-2018, was subject matter of SLP (Civil) before the Hon’ble Apex Court in SLP (Civil) Diary No. 11724 of 2019, which was dismissed at the stage of admission by order dated 09.05.2019.

In the meanwhile, the respondent-Haryana Vidyut Parsaran Nigam Ltd. in CWP-5596-2015 filed appeal against the very same order in LPA-391-2019 on 14.02.2019. Since, the judgment rendered in connected matter CWP-8649-2015, being confirmed by the Hon’ble Apex

Court on 09.05.2019, the present appeal in LPA-391-2019, on very same order is not maintainable. Hence, in the light of order dated 09.05.2019 in SLP (Civil) Diary No. 11724-2019, the present appeal in LPA-391-2019 does not survive. Hence, the same is dismissed.

(S.N. SATYANARAYANA)
JUDGE

(ARCHANA PURI)
JUDGE

November 11, 2020

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No