

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-9160-2020

Date of decision : 20.07.2020

Fastway Transmissions Pvt. Ltd and others

... Petitioners

Versus

Union of India and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU***

Present: Mr.J.K.Mittal, Advocate and
Mr.Surjit Bhadu, Advocate
for the petitioners.

Mr.Sourabh Goel, Senior Standing Counsel
for the respondents.

RAJIV SHARMA, J.

This case has been taken up for hearing through video conferencing.

The adjudicating authority is seized of the matter as per notice dated 18.06.2020. The petitioners have also challenged the notifications / rules / circulars Annexures P8, P9, P10, P11, P12, P13 and P14 as well.

Learned counsel for the respondents submits that the petitioners have not appeared before the adjudicating authority.

The petitioners should have appeared before the adjudicating authority.

Now as far as the challenge to the vires to the notifications/ rules / circulars is concerned, the same shall be considered by this Court after the matter is adjudicated by the adjudicating authority.

Learned counsel for the petitioners submits that the validity of the notifications / rules / circulars can be challenged before this Court only but the fact of the matter is that the adjudicating authority is seized of the matter. The petitioners can make submissions about the applicability of the notifications / rules / circulars before the adjudicating authority. The adjudicating authority shall decide the matter within a reasonable period, however, the decision shall not be implemented for three weeks to enable the petitioners to assail the same in accordance with law if the order is adverse to them.

The petition stands disposed of accordingly.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

July 20, 2020.
Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No