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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 19334 of 2021
Date of Decision: 09.11.2021

M/s Kishori Lal Syal

-Petitioner

Versus

Union of India and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Dinesh Mahajan, Advocate,
for the petitioner.

Mr. Indresh Goel, Advocate,
for the respondents.

RAJ MOHAN SINGH, J. (Oral)

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

In view of reply filed by respondent No.3, petitioner has an alternative remedy of appeal before Chief Engineer (MES).

Learned counsel for the petitioner submits that the petitioner never received the communications on the basis of which the impugned order dated 31.10.2019 has been passed. He relies upon receipts (Annexures R-8 to R-11) to contend that addressee i.e. Kishori Lal Syal had already expired in the year 1995.

Be that as it may, petitioner is permitted to file an appeal before the Chief Engineer (MES) within two weeks. On filing such an appeal, the same shall be decided by the competent authority on merits.

Learned counsel for the respondents submits that in view of peculiar facts and circumstances of the case particularly in view of situation arising out of pandemic COVID-19, the department would not raise any such technical plea of limitation and decide the same strictly on merits.

In view of aforesaid consensus arrived at between the parties, this petition is disposed of and the appeal, if any filed, shall be decided within 02 months thereafter.

09.11.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No