

226

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RA-CW-58-2022 in CWP-3192-2020

Date of decision: 22.04.2022

SUKHBIR KAMBOJ

...Petitioner

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harkesh Manuja, Advocate
for the applicant-petitioner.

Mr. S. S. Narula, Advocate
for the respondents.

JAISHREE THAKUR, J. (Oral)

The instant review application has been filed under Order 47 Rule 1 C.P.C. and Article 226 of the Constitution of India read with Section 114 C.P.C., with a prayer for review of final order dated 10.09.2020 (Annexure A/1) passed by this Court in CWP-3192-2020.

The petitioner herein had challenged the show cause notice dated 08.01.2020 (Annexure P-8) *inter alia* on the ground that the preliminary inquiry report was conducted by the Nodal Officer which was an interested party being a complainant in the FIR. The writ petition was dismissed by passing a detailed order dated 10.09.2020, holding that the petition was devoid of merit.

The instant review application is being opposed by learned counsel for the respondents by submitting that the prayer for review would

not be sustainable keeping in view the fact that the petitioner stands terminated and he has filed an appeal against the said order of termination.

Faced with the same, learned counsel for the applicant-petitioner prays for liberty to take all the pleas available to him before the Appellate Authority, which is not objected to by the learned counsel for the respondents.

In such a situation, since the order of termination has already been passed, this review application is dismissed as infructuous. However, liberty is granted to the applicant-petitioner herein to take all possible pleas in accordance with law before the authority dealing with his appeal. Let an endeavour be made to decide the said appeal expeditiously.

22.04.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No