

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

**CWP-4489-2021
DECIDED ON: 18.07.2023**

HET RAM

.....PETITIONER

VERSUS

**HARYANA VIDYUT PARSARAN
NIGAM LIMITED AND OTHERS**

.....RESPONDENTS

CORAM:HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Bishan Dass Rana, Advocate
for the petitioner.

Mr. Ashish Gupta, Advocate for
Mr. Prateek Mahajan, Advocate
for respondents-HVPN.

SANDEEP MOUDGIL, J (ORAL)

The instant writ petition under Articles 226/227 of the Constitution of India has been moved for issuance of a writ, order or direction especially in the nature of Mandamus for directing the respondents to decide the Legal Notice dated 21.12.2019 (Annexure P-4) while considering the judgment passed by this Court on 08.12.2000 in CWP No.13529 of 1999 and judgment dated 05.09.2002 in CWP No.7787 of 2001.

Written statement on behalf of the respondents No.1 to 4 has been filed today in the Court and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

A perusal of the written statement that the petitioner has earlier also approached the High Court for the same cause of action vide CWP No.7757 of 2001, which was disposed of vide order dated 20.01.2004 with a

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direction to the respondents to consider the claim of regularization of the petitioner within a period of 3 months. It was on account of failure of the respondents to pass an order after considering the claim within a stipulated period, the petitioner has filed a contempt petition COCP No. 1306 of 2012 titled as **“Het Ram Vs. Sameer Mathur and others.”** In that contempt petition, the respondents informed the Court that his case has been considered and the relief has been denied due to non-availability of the post. A perusal of the order dated 13.07.2012, clearly indicates that it was observed therein that in the light of consideration of the case of the petitioner, no reason to proceed against the respondents was found in the contempt petition as well.

It is a settled proposition of law that once in the writ jurisdiction alone, the petitioner has sought the similar claim of regularization on the same set of facts and question of law relying on the same policy, filing of instant petition is nothing but an abuse of process of law. It is also suffice to convince this Court that the petitioner has not come with clean hands and in fact, the filing of present petition is malicious and mischievous attempt.

However, without going further into the said controversy, I proceed to visit the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

18.07.2023
Kusum

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