

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 7270 of 2019 (O&M)

Date of decision : 18.1.2023

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Sukhdev Singh

.....Petitioner

vs.

The Punjab State Power Corporation Ltd. and olthers

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. H.K. Brinda, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Advocate for the respondents
- PSPCL

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H. S. Madaan, J. (Oral)

Under challenge in this revision petition is order dated 23.10.2019, passed by Additional District Judge, Rupnagar, vide which delay of 9 months in filing of appeal by the appellant-defendant – Punjab State Power Corporation Limited, was condoned.

Respondent Sukhdev Singh, feeling aggrieved by that order has filed the present revision petition, notice of which was given to the respondents, who have put in appearance through counsel.

I have heard learned counsel for the parties, besides going through the record.

As has been stated by learned counsel for the revision petitioner, the respondents, who are appellants before Additional District Judge, Rupnagar, have since released all the benefits due to the revision petitioner.

Learned counsel for the revision petitioner has contended that without giving cogent reasons, the impugned order was passed, which is not sustainable. He has relied upon judgments **Mohd. Sahid and others vs. Raziya Khanam (D) Thr. LRs and another 2018 AIR (Supreme Court) 4724** and **Municipal Committee (Now Municipal Corporation), Bathinda vs. Bachan Singh through his LRs and another 2017 (3) RCR (Civil) 145**, in support of his contention.

Whereas, learned counsel appearing for the respondents states that no prejudice is going to be caused to the revision petitioner, since admittedly, the requisite benefits have been released to him and delay in filling of the appeal was not intentional, but on account of the internal correspondence and time consumed in obtaining the legal opinion etc.

After hearing the rival contentions, I do not find any infirmity or illegality in the impugned order, since it is always desirable to decide a lis on merits rather than closing the door to contest, upon a litigant for hyper technical reasons. The judgments referred to by the learned counsel for the revision petitioner do not find application, due to different facts and circumstances and the context in which such observations have been made.

The revision petition is without any merit and is dismissed accordingly.

18.1.2023
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No