

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:169683-DB



116

C.M. No. 7991 of 2024 in/and
LPA No. 2066 of 2024 (O&M)
Date of decision:18th December, 2024

Er. Harish Chander Sharma

..Appellant

Versus

Punjab State Power Corporation Limited and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL.
HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

Present: Mr. Harpal Singh Saini, Advocate for appellant (through V.C.)\
Mr. Gagneshwar Walia, Advocate for respondents.

LISA GILL, J(Oral)

1. Prayer in this appeal is for setting aside order dated 24.04.2024 whereby writ petition filed by appellant/petitioner has been dismissed with costs of Rs.25,000/-. It is specifically observed therein that precious time and effort of the Court has been squandered in adjudicating the present *lis* which has been agitated after more than 22 years of appellant's retirement and more over writ petition suffers from constructive *res-judicata* as he had earlier filed CWP No. 18549 of 2013.

2. After hearing learned counsel for the parties, we were of the view that there was no merit in the appeal, however, matter was adjourned at request of learned counsel for the appellant on 09.12.2024. An application has now been filed on behalf of the appellant seeking withdrawal of the appeal with a prayer that costs imposed vide impugned order be waived, specially keeping in view the fact that the appellant is an eighty (80) year old Senior

3. Learned counsel for respondents does not raise serious objection to such request for waiver of cost imposed vide impugned order dated 24.04.2024. In the given factual matrix, while considering the advanced age of appellant and the factum of him being a retired employee, cost of Rs.25,000/- imposed upon him vide impugned order, is waived.

4. Keeping in view the facts and circumstances as above, especially the specific stand of appellant, this appeal is dismissed as withdrawn with cost imposed being waived.

(LISA GILL)
JUDGE

18th December, 2024

reema

(SUKHVINDER KAUR)
JUDGE

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