

2024:PHHC:141374-DB



S. No.214

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

**LPA-1222 of 2014 (O&M)
Date of Decision:28.10.2024**

Anil Aggarwal

.....Appellant

Vs.

Electronics Systems Punjab Ltd. & ors.

.....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. Aarav Gupta, Advocate for the appellant.

**Mr. Vibhor S. Sharma, Advocate for the Official Liquidator.
(Through Video Conferencing).**

LISA GILL, J. (Oral)

1. Prayer in this appeal is for setting aside order dated 15.05.2014 passed by learned Single Bench whereby writ petition filed by the present appellant, challenging order dated 23.6.1998, dismissing him from service, was dismissed.

2. It is duly noted in the impugned order that services of present appellant were terminated after following due procedure as per law. He was given proper opportunity to participate in enquiry proceedings and that there was no ground whatsoever for interfering in order dated 23.06.1998, dismissing the appellant from service.

3. Notice of motion was issued in this appeal on 23.09.2014. Respondent-Company went into liquidation and the Official Liquidator was impleaded as party on 16.08.2018. The following order was passed on 28.09.2022:-

“Mr. Gupta prays for time to seek instructions from his client, since his sole argument is that he wants vindication of his honour, as he had been dismissed on account of the fact that the charge was not that grave, which would warrant extreme order, keeping in view the length of service. He, thus, submits that he be given sometime to find out whether the appellant is willing to give an undertaking that he will not claim any



monetary benefits on account of the appeal being allowed, since the respondent- Company is in the process of being wound up.
Let, necessary affidavit be filed by the next date of hearing.
List on 13.10.2022.”

4. The matter had been adjourned thereafter at request of learned counsel for the appellant. Last opportunity had been sought on behalf of the appellant on 24.07.2023 to comply with order dated 28.09.2022 as also to address arguments. However, till date, necessary affidavit in terms of order dated 28.09.2022 has not been filed.
5. Learned counsel for the appellant submits that the appellant has been duly apprised of order dated 28.09.2022 but he has received no instructions in this regard. No other plea is raised.
6. Keeping in view above, we are left with no option but to dismiss this appeal as well as pending application for non-prosecution.
7. Ordered accordingly.

(LISA GILL)
JUDGE

(DEEPAK GUPTA)
JUDGE

October 28, 2024
renu

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No