

RA-313-2019 in CWP-17827-2010

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RA-313-2019 in CWP-17827-2010

ORDER RESERVED ON	ORDER PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
20.11.2025	24.12.2025	FULL PRONOUNCED	24.12.2025

Subhash Chander Aggarwal and another...Petitioners

Versus

Punjab State Power Corporation and others...Respondents

Present: Mr. Puneet Sharma, Advocate
for the applicants-petitioners.

CM-11207-2019

Allowed as prayed for.
Documents at Annexures A-1 to A-5, are taken on record.

CM-11208-2019

Present application has been filed for impleading the LRs of petitioner No.1.
For the reasons mentioned in the application, the same is allowed.
LRs of petitioner No.1 are impleaded as party.
Amended memo of parties be filed.

CM-11209-2019

Present application has been filed for impleading the LRs of petitioner No.2.
For the reasons mentioned in the application, the same is allowed.
LRs of petitioner No.2 are impleaded as party.
Amended memo of parties be filed.

CM-11210-2019

Present application has been filed for condonation of delay of 3190 days in filing the review application.

Reasons of delay are mentioned in the application, which reads as under:-

“...That after the order passed by Hon'ble Supreme Court of India, the Petitioners have filed the application bearing No. CM 7527 of 2014 for revival of the present writ petition which was subsequently withdrawn vide order dated 19.03.2015 with liberty to file an appropriate application. The copy of the application dated 26.05.2014 along with order dated 19.03.2015 are annexed herewith as Annexure A-5 (Colly).

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4 That after the withdrawal of the aforesaid application on 19.03.2015 the counsel for the applicants informed petitioner no.1 and 2 and directed them to visit Chandigarh in order to execute the necessary paper work. However, because of ill health of the petitioners on account of old age they were unable to visit Chandigarh and eventually petitioner no.1 died on 25.10.2015 (Annexure A-1) and petitioner no. 2 also died on 20.05.2016 (Annexure A-2).

5 That eventually it was only in June 2019 that the L.Rs of the petitioners visited the present counsel and supplied the copies of the death certificate and executed the relevant documents / paper work in order to get the previous order dated 04.10.2010 reviewed in the light of subsequent events i.e. judgment of the Hon'ble Supreme Court dated 13.12.2012 (Annexure A-4) which similar case similar cases have been remanded back to this Hon'ble Court, while setting aside the judgments dated 21.07.2008/18.12.2008 on which the petitioner had placed reliance, in view of which the present writ petition had been allowed vide order dated 04.1.2010 (Annexure A-3).

6 That in view of the changed circumstances, it is just an appropriate having sufficient reason to request this Hon'ble court for review of the judgment dated 04.10.2010 (Annexure A-3) and further it is prayed for issuance of notice of motion in the present writ petition to be heard after connected/ remanding back writ petitions bearing no. CWP Nos. 15554 titled as Gian Chand & Ors V/S State of Punjab and Ors, 18323, 19103,19258 of 2007, 19888 of 2006, 1239, 6672 of 2008, 12048, 4580 of 2009, 5630, 12551, 15635, 21474 of 2010, 14808, 6773, 6909, 12807, 15155 of 2012, 9155 and 11029 of 2013, which are pending admitted before this Hon'ble Court.

7 That due to the circumstances explained above, there occurred delay of 3190 days in filing the application seeking review of order dated 04.01.2010 (Annexure A-3), which is neither intentional nor deliberate but due to the reasons explained above.”

For the reasons mentioned in the application, the same is allowed.

Delay of 3190 days in filing the application, is condoned.

RA-313-2019

1. Vide order dated 04.10.2010, the Hon'ble Single Bench of this Court had allowed the present writ petition subject to clarification that it shall be subject to outcome of SLP pending against the judgment of this Court in ***CWP-15554-2007 titled as Gian Chand and others vs. State of Punjab and others***, before the Hon'ble Supreme Court of India.

2. Thereafter, the Hon'ble Supreme Court has allowed the SLP and remanded back the Gian Chand's case to this Court.

3. Faced with this, the applicant has filed a review application for review of the order

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dated 04.10.2010.

4. Since the Hon'ble Single Bench had already clarified that order in this writ petition will be subject to outcome of Gian Chand's case, as such, present Review Application is allowed.

5. After the remand, judgment in CWP-15554-2007 titled as Gian Chand and others vs. State of Punjab and others, have already been pronounced on 23.12.2025 and present matter is fully covered with the judgment.

6. In view of the above, writ petition (CWP-17827-2010) is disposed of in terms of the judgment passed by this Court in CWP-15554-2007-Gian Chand's case (supra) on 23.12.2025. All pending miscellaneous applications stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

24.12.2025
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