

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM No.23038-CII of 2014 in/and
COCP No.196 of 2014
Date of Decision: October 09, 2014

J.P.Tewatia

...Petitioner

Versus

Sh. Anurag Aggarwal, IAS

...Respondent

CORAM: HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vijay Pal, Advocate
for the petitioner.

Mr. Mohnish Sharma, Advocate for
Mr. Pardeep Singh Poonia, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J.(ORAL)

CM No.23038-CII of 2014

Application is allowed.

Order dated 06.10.2014 (Annexure R-1) is taken on record.

COCP No.196 of 2014

Mr. Arvind Kumar Verma, Managing Director, DHBVNL is present in Court in compliance with the order dated 19.08.2014 passed by this Court.

The competent authority has passed a detailed order dated 06.10.2014 (Annexure R-1) in compliance with the order dated 19.08.2014 passed by this Court. Counsel for the petitioner submits that the same is not in consonance with the order passed by this Court in CWP No.15311 of

1994, titled as 'J.P. Tewatia Vs. HSEB & others', decided on 24.01.2013 (Annexure P-1). He further contends that there was a specific direction issued by this Court requiring the respondent to dispose of the appeal of the petitioner on merits by a reasoned order in conformity with law and the requirement of Regulation 11 of 1990 of the Regulations of the Board, as early as possible, but not later than four months from the date of the order. The respondent although belatedly has passed a detailed order, but has not taken into consideration the Regulation 11 of 1990 of the Regulations of the Board.

This contention of the counsel for the petitioner does not appear to be correct as in the order dated 06.10.2014 (Annexure R-1) the respondent has taken note of the said Regulation and mentioned requirements thereof. It has also taken into consideration and given effect to the said Regulation. It may be that the Regulations have not been correctly understood or given effect to by the said authority but that would not mean that the order passed by this Court on 24.01.2013 (Annexure P-1) has not been complied with. If the petitioner is aggrieved or not satisfied with the order passed by the respondent or is of the opinion that the same is not in consonance with the law, it shall be open to the petitioner to challenge the order in accordance with the law.

In view of the above observations, the present contempt petition is disposed of.

Rule stands discharged.

October 09, 2014
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE