

2025:PHHC:029808



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

**112**

**CM-57-CWP-2025  
in/and RA-CW-5-2025  
in CWP-15732-2022**

**Date of Decision: 03.03.2025**

**OM PRAKASH SHARMA**

... Petitioner

VERSUS

**UNION OF INDIA AND OTHERS**

... Respondents

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.**

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Present: Mr. Deepak Gupta, Advocate  
for the petitioner.

Mr. Shivoy Dhir, Sr. Panel Counsel  
for the respondents.

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**VINOD S. BHARDWAJ, J. (ORAL)**

**CM-57-CWP-2025**

This is an application for seeking condonation of 560 days' delay  
in filing the accompanying Review Application.

Notice of the application.

Mr. Shivoy Dhir, Sr. Panel Counsel accepts notice and does not  
raise any serious objection to the application.

In view of the same and for the reasons set out in the application,  
the same is allowed.

Resultantly, the delay of 560 days in filing the accompanying  
Review Application is hereby condoned.

**RA-CW-5-2025**

The instant application has been filed for seeking review/recalling of the order dated 08.05.2023 passed by this Court in the main petition bearing CWP No.15732 of 2022.

Learned counsel for the applicant-petitioner contends that the relief prayed for in the main writ petition was for the period from 1991 to May 2013, whereas while dealing with the issue in the main writ petition, the learned Single Judge took into consideration the period between the year 1991 to May 1995. Hence, the prayer of the petitioner for grant of benefits and dues for the period from 20.06.1995 to 01.05.2013 has not been considered.

Notice of the application.

Learned Sr. Panel Counsel for the respondents accepts notice and contends that the counsel for the applicant-petitioner never raised any such argument before the learned Single Judge pertaining to the relief from 20.06.1995 to 01.05.2013 at the time of deciding the main petition. He thus contends that a fresh argument is being raised by the counsel for the applicant-petitioner at this stage, thereby making an attempt at reopening the merits of the main case and agitate an issue which was never originally argued.

Heard.

Taking into consideration the rival submissions advanced by the learned counsel for the parties, the fact as to whether the second relief pertaining to the benefits for the period from 20.06.1995 to 01.05.2013 was ever claimed or not remains disputed. Still further, the instant Review Application has been filed after the change of counsel. Hence, the counsel for the applicant-petitioner would not even know that what had transpired in the

proceedings of main petition at the time of final arguments. It is also a settled position in law that Review Application cannot be filed on account of change of counsel.

Considering it from either of the perspective, the instant Review Application lacks merit and is liable to be dismissed.

Ordered accordingly.

**MARCH 03, 2025.**

*Rajender*

**(VINOD S. BHARDWAJ)  
JUDGE**

*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No