

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

RSA No. 1954 of 1991 (O&M)

Date of decision: 09.12.2015

Punjab State

... Petitioner

versus

Ramesh Chander

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Inder Pal Goyat, Addl. Advocate General, Haryana.

Mr. Gaurav Chopra, Advocate for the respondent.

K.Kannan, J.

The second appeal is at the instance of the State which has challenged the order declaring the termination order to be invalid through a Court decree. The counsel for the respondent states that the plaintiff who lost the case at the trial Court, on reversal of the judgment obtained the benefit of the decree and was reinstated. He entered the service on 07.11.1981 and by now he must have superannuated.

There could be no question of taking back the salary paid, for, the salary must be taken as remuneration for the service rendered. The decree granted by the Appellate Court has worked itself out and there will no purpose served for rendering an adjudication whether the termination originally ordered which was set aside by the Appellate Court was justified or not.

The second appeal is disposed of as having been become infructuous.

Either party is at liberty to approach this court for review, if he had not been reinstated in service or if he would not have reached the age of superannuation at the time of disposal of this appeal.

**(K.KANNAN)
JUDGE**

09.12.2015

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