

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

CWP No. 12604 of 2006

Date of decision: 15.12.2015.

Chuhar Khan

...Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE M.JEYAPPAUL.
HON'BLE MR. JUSTICE DASRHSAN SINGH.**

Present: Mr.Gopal Singh, Advocate
for the petitioner.

Mr. A.K.Yadav, Advocate
for Mr. Amit Arora, Advocate
for respondent-UOI.

Mr. Aman Chaudhary, Advocate
for respondents no.2 and 3.

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M.JEYAPPAUL, J.

Heard the submissions made on either side.

The writ petitioner has challenged only the impugned order of dismissal appended as Annexure P-8 on the ground that this Court was pleased to order for suspension of sentence imposed on him in Criminal Revision No. 984 of 2005. He had also sought for reinstatement in service during the pendency of the above Criminal Revision.

The undisputed fact is that the writ petitioner who was appointed as U.D.C-cum-Chasher on 23.02.1978 faced a criminal case under Sections 420, 467, 471 and 120-B IPC, registered on 16.11.1993. He was convicted by the learned trial Court on 07.03.2001. The appeal preferred by the writ petitioner, aggrieved by the conviction and sentence

passed by the learned trial Court was also dismissed. He was sentenced to undergo two years and six months of rigorous imprisonment for the aforesaid charges framed against him.

The grievance of the writ petitioner before the Tribunal was that in-spite of the fact that the sentence imposed on him was suspended by this Court in the above revision filed by him, the respondents, without waiting for the final out-come thereof chose to dismiss him from service.

Inasmuch as the above revision petition has already been disposed of by this Court reducing the sentence imposed by the Courts below to the maximum period of one and half years vide order dated 18.08.2010, we are of the considered view that the prayer sought in the Original Application has become infructuous. Therefore, the writ petition stands dismissed as having become infructuous.

The writ petitioner if so advised, may approach the Appointing Authority to seek redressal of his grievance as regards the service benefits.

(M. JEYAPPAUL)
JUDGE

December 15, 2015

s.khan

(DASRHSAN SINGH)
JUDGE