

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

236

**CWP No.20139 of 2014
Date of decision: 12.05.2015**

Mahi Pal and others

....Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mrs. Divya Godara, Advocate for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed for quashing the impugned notice/order dated 25.08.2014 (Annexure P-5) vide which interim relief granted to the petitioners being group 'C' employees through letter dated 17.12.2013(Annexure P-1) has been withdrawn and further order of recovery of the amount has been passed without giving any opportunity of hearing or without issuing any notice.

Notice of motion was issued on 26.09.2014. In response thereto, reply on behalf of the State has been filed by way of short affidavit of Deputy Secretary to Government of Haryana, Higher Education Department, Panchkula.

Learned State counsel, on the basis of reply, submits that impugned notice/letter dated 25.08.2014 (Annexure P-5) has been withdrawn after due consideration and therefore, nothing remains in the

present petition where as learned counsel for the petitioners submits that notice qua all petitioners except petitioner No.2 has been withdrawn.

In view of stand taken in the written statement and also keeping in view the fact that impugned order(Annexure P-5) has already been withdrawn qua all petitioners except petitioner No.2, nothing remains in the present petition and as such the present petition has become infructuous.

Dismissed as having become infructuous.

However, the respondents are directed to consider notice qua petitioner No.2 at par with other petitioners.

(DAYA CHAUDHARY)
JUDGE

May 12, 2015
sonia g.