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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1884/2015**

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Date of Judgment : 05.11.2015

SANDEEP KUMAR

..... Petitioner

Through : Mr. Pratap Ch. Mishra, Advocate.

versus

CHIEF SECRETARY, GOVT. OF NCT DELHI & ORS

..... Respondent

Through : Mr. Gaurav Verma, Advocate.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G. S. SISTANI, J. (ORAL)

1. Challenge in this writ petition is to the order dated 12.11.2014.
2. It is not necessary to notice facts of this case in detail except that the petitioner was a Warden in the Central Jail, Tihar. An FIR was lodged against the petitioner in the year 2008 under Sections 384/389/419-34 of the Indian Penal Code at Police Station – Karol Bagh, Delhi which led to his arrest on 28.06.2008. The petitioner was suspended by an order dated 01.07.2008 and subsequently dismissed from service by the respondents invoking the provisions of Article 311 (2) B of the Constitution of India. This order of dismissal from service was challenged by the petitioner filing an O.A. before the Central Administrative Tribunal. The Tribunal by an order dated 21.07.2009 set aside the impugned order and the petitioner was directed to be reinstated. A writ petition filed against the aforesaid order by the respondent herein was dismissed on 17.08.2010. The

petitioner was reinstated in service and simultaneously placed under deemed suspension w.e.f. 08.07.2008 (the date he was dismissed from service). The petitioner thereafter challenged the order of deemed suspension before the Tribunal. The O.A. was dismissed which led to the filing of the present writ petition.

3. We are informed today by the learned counsel for the petitioner that the order of deemed suspension stands revoked. The petitioner has been reinstated. Learned counsel for the respondent submits that wages from August, 2015 shall be released in favour of the petitioner and shall continue to be paid in accordance with law.
4. At this stage, the learned counsel submits that the present writ petition has become infructuous and craves leave of this court to take the recourse of such remedy as may be available in accordance with law to agitate other issues which are required to be raised by him.
5. The writ petition is dismissed as infructuous.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

NOVEMBER 05, 2015

SC