

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

Date of decision: 02.08.2016

CWP No.1751 of 1995

Surat Ram & others

...Petitioners

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Apurva Rathee, Advocate, for
Mr. Anil Rathee, Advocate, for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana and
Ms. Shruti Jain Goel, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

At the very outset, learned State counsel on instructions from Mr. Rakesh Kumar Sharma, Executive Engineer, Public Health Division, Charkhi Dadri, states that the services of the petitioners have been regularized in the year 1996 in terms of the then prevailing regularization policy. This renders the petition infructuous when relief prayed for stands granted by the department. A copy of the list of employees, whose services have been regularized, has been handed over to the learned counsel for the petitioners.

Consequently, the instant petition is dismissed as having been rendered infructuous. However, in case there is any remaining dispute, the aggrieved person(s) may bring his/their case/s to the notice of the competent authority, who will redress the grouse, if any subsisting, without delay by corrective action taken.

At this stage, Mr. Harish Rathee informs that the order dated 12.07.2016 passed by this Court has been taken into consideration and appropriate instructions have been issued to the quarters concerned in implementation of the orders. The learned Advocate General, Haryana has also taken cognizance and has moved with appropriate steps in the directions pointed out in the order to assist the court in disposal of old cases. In order to make the present order comprehensive and operative after its passing, the previous interlocutory order dated 12.07.2016 is reproduced below to form part of the order of disposal of the case:

“Five of the oldest cases in the regular Roster are being taken up for final disposal in the Urgent List to try and tackle pendency of cases. The experience of this Bench has been that when matters come up after a number of years, private and State counsel are more often than not, not in a position to know of the current status of the case, the whereabouts of the parties and whether the issues are alive or dead or cause of action itself has abated for one reason or the other. This lack of instructions ends up wasting time of the Court. With a view to streamline the disposal of old cases, a request is made to the Home Secretary (Litigation Branch)/Administrative Secretary, Department of Legal Affairs, Haryana to tie up with the learned Advocate General, Haryana to make an advance effort on the main regular cause list of the oldest taken up cases as to their status and whether they require determination by court on merits. It is expected that some of those cases may have become infructuous or relief may become impossible to be given, in view of the absence of interim order or preservation of rights in status quo passed in the beginning. This request may go a long way in assisting this Court in speedy disposal of old cases of which every five of them are shown as taken up at the top of the Urgent Cause List. It would be appreciated if concerted efforts are made by the Home Secretary (Litigation Branch)/Administrative Secretary, Department of Legal Affairs,

Haryana and the Learned Advocate General, Haryana and his team of Law Officers and the staff of this Court to lend help. Learned counsel for the parties are also requested to furnish an update of status of cases to the Court Secretary of this Bench and whether their cases are to be heard on merits or the prayers have been rendered infructuous by passage of time or the cause of action has abated. The Registry and staff of this Court will assist the Home Secretary (Litigation Branch)/Administrative Secretary, Department of Legal Affairs, Haryana and Advocate General, Haryana with respect to access to judicial files in case required.

List again on 02.08.2016.”

Copy of the order be sent to Advocate General, Haryana and the President of the Punjab & Haryana High Court Bar Association in pious hope for their assistance to the court and continued efforts by all the stakeholders involved in the task of handling old cases for their successful conclusion when they are called for hearing. This is in order to prevent any further delay in their satisfactory disposal on merits. Thereafter, file may be consigned to the record room.

[RAJIV NARAIN RAINA]
JUDGE

02.08.2016
Vimal

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*