

CWP No.4562 of 1998
CWP No.9626 of 1998
CWP No.4664 of 1998

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CWP No.4562 of 1998

Sukhjinder Pal Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

2. CWP No.9626 of 1998

Lachhman Das Sharma ... Petitioner

Versus

State of Punjab and others ... Respondents

3. CWP No.4664 of 1998

Lachhman Dass Sharma ... Petitioner

Versus

The State of Punjab and another ... Respondents

Date of Decision: 03.05.2016

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.S. Bajaj, Advocate,
for the petitioner in CWP No.4562 of 1998.

None for the petitioner in CWP Nos.9626 and 4664 of 1998.

Mr. Harkesh Manuja, Addl. AG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This order will dispose of CWP No. 4562 of 1998 titled

CWP No.4562 of 1998
CWP No.9626 of 1998
CWP No.4664 of 1998

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Sukhjinder Pal Singh v. State of Punjab and another, CWP No.9626 of 1998 titled *Lachhman Das Sharma v. State of Punjab and others* & CWP No.4664 of 1998 titled *Lachhman Dass Sharma v. The State of Punjab and another*.

The facts are not necessary to be narrated since the matter is no longer res integra and stands concluded by an order passed in CWP No.17604 of 1997 titled *Ramesh Behl v. State of Punjab and others* delivered on July 10, 2008 by the learned Single Judge. The operative part of the order reads as follows:-

“Having heard learned counsel for the parties, I am of the considered view that this writ petition has now been rendered infructuous for the reason that the petitioner has retired on attaining the age of super-annuation and till then he continued to hold the post of Assistant Labour Commissioner and/or next higher post. As an abundant caution, however, it is clarified that the petitioner shall be entitled to his retiral benefits on the premise that he continued to hold the post of Assistant Labour Commissioner or the next higher post to which he was promoted during the pendency of this writ petition. No recovery etc., therefore, shall be affected from him pursuant to the impugned reversion order, operation of which qua the petitioner remained stayed till he retired.

Disposed of.”

These petitions are disposed of in the same terms.

(RAJIV NARAIN RAINA)
JUDGE

03.05.2016
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