

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6085 of 1999(O&M)

Date of decision: 8.9.2016

Badri Narain Sharma

... Petitioner

Versus

State of Haryana & ors.

... Respondents

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

Present: Mr. RK Malik, Sr. Advocate, with
Ms. Rimple Kadyan, Advocate,
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. Suresh Monga, Advocate,
for respondent No. 3.

RAJIV NARAIN RAINA, J.(Oral)

In view of subsequent developments as pointed out by Mr. Suresh Monga, on instructions received from Mr. Rohtash Kumar, Investigator, in O/o District Rural Development Agency, Sirsa, this petition has been rendered infructuous since the petitioner demitted office in February 2001 and the petition was admitted on August 21, 2001 for regular hearing without supplying the material input. By an interim order dated May 10, 1999 while issuing notice of motion the Division Bench of this Court restraining the respondents from effecting any recovery from the petitioner. That order has continued to operate till date and as a result of which the petitioner is protected since meanwhile he had earned his salary by providing his labour pending litigation till he left service of the respondents.

Consequently, the petition is allowed by making the interim order absolute and the recovery part is accordingly annulled by writ of

prohibition issued in the facts and circumstances of the case and in the prevailing events supervening of which cognizance is taken on the statement made by Mr. Monga, appearing for the employer respondent.

(RAJIV NARAIN RAINA)
JUDGE

8.9.2016
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>