

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-15.09.2016

CWP No.1909 of 2012(O&M)

Surinder Pal Gupta.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Ms. Harmeet Kaur, Advocate for
Mz. J.J. Kaur, Advocate for Petitioner.

Mz. Puneet Kaur Sekhon, Addl. Advocate General, Punjab.

JASWANT SINGH, J (ORAL)

CM No.2791 of 2015 has been filed under Order 22 Rule 3 CPC seeking impleadment of Lrs of petitioner Surinder Pal Gupta, who is stated to have died on 20.12.2014 leaving behinds his Lrs namely Prem Lata (widow), Rohiut Gupta, Rahul Gupta and Rohan Gupta (sons) as detailed in para no.3 of the application.

Upon notice no reply contesting the aforesaid claim has been filed.

For the reasons stated in the application, the same is allowed and applicants named above are ordered to be brought on record as Lrs of deceased Surinder Pal Gupta subject to all just exceptions.

CWP No.1909 of 2012

The petitioner was appointed as Building Inspector in Municipal Corporation, Jalandhar on 2.9.1974. He was promoted as Superintendent in the year 1991 and as Secretary on 09.08.2011.

Present petition has been filed seeking Mandamus for promoting him as Secretary w.e.f. 10.02.2006 when his juniors were promoted and also fixation of his pay at par with his juniors.

Upon notice a reply has been filed on behalf of the State wherein it is stated that the petitioner had himself requested that if he cannot be promoted w.e.f 10.02.2006 then atleast his pay scale be corrected/upgraded at par with his juniors. Resultantly, a speaking order dated 17.10.2013 (**R-1/2**) was passed whereby the amendment in his promotion order dated 9.8.2011 was made and his pay was upgraded by granting him the grade pay of 7600 instead of 6600 in the pay scale of 15600-39100. It is submitted that thus, the necessary relief having been granted, no further adjudication is required.

At the time of hearing, learned Counsel for the petitioner, agrees that the present petition has become infructuous.

Dismissed as infructuous.

(JASWANT SINGH)
JUDGE

September 15, 2016
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<i>Whether speaking/reasoned</i>	<i>Yes / No</i>
<i>Whether Reportable</i>	<i>Yes / No</i>