

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

CWP No.11858 of 2016(O&M)

Date of Decision:-31.08.2016

Dr. Harbhajan Ram & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. RPS Bara, Advocate for the Petitioners.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab.

Mr. Rajiv Atma Ram, Senior Advocate assisted by
Mr. Abhishek Arora, Advocate for respondent nos.4 to 23.

JASWANT SINGH, J.(ORAL)

Three petitioners are in the substantive rank of Senior Medical Officers in the PCMS (Class-I). In addition to their posts, they were notified as Designated Officers under the Food Safety and Standards Act, 2006. Since the government had initiated the process of promoting the private respondents no.4 to 23, working as Food Safety Officers to the rank of designated Officers perhaps in places of the petitioners. The present writ petition was filed primarily raising the issue that the private respondents being ineligible could not be promoted.

Upon notice reply has been filed on behalf of respondents no.1 to 3. In the meanwhile, the private respondents no.4 to 23 have filed CM

nos.8147-48 of 2016 seeking the dismissal of the writ petition in view of the supervening circumstance of the petitioners having been relieved of their charge of being Designated Officers and thus losing locus standi, if any, to maintain the present writ petition.

The petitioners also have filed **CM No.9835 of 2016** seeking withdrawal of the petition in the light of the change circumstances in order to avail the alternative remedy, if any.

In view of the aforesaid developments CM No.9835 of 2016 filed by the petitioner is allowed. The petition is dismissed as withdrawn with liberty to the petitioners to seek their remedy in accordance with law. No orders are required to be passed in other CMs.

(JASWANT SINGH)
JUDGE

August 31, 2016
Vinay

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