

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

**Civil Writ Petition No. 20011 of 2013 (O&M)
Date of Decision: 06.10.2016**

Rakesh Kumar Sharma

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anil Shukla, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. A.G., Punjab
for respondent No. 1/State.

Mz. Suman Devi Saxena, Advocate for
Mz. Deepali Puri, Advocate
for respondent No. 2-Improvement Trust, Phagwara.

Mr. Hitesh Kaplish, Advocate
for private respondent Nos. 3 & 5.

JASWANT SINGH, J. (ORAL)

Petitioner-Rakesh Kumar Sharma is working as a Trust Engineer with Improvement Trust Phagwara/respondent No. 2. He was issued a charge-sheet dated 24.10.2008, *inter alia*, for not taking steps to demolish unauthorized commercial buildings in residential area. The Enquiry Officer submitted a report dated 14.03.2012 (**Annexure P-4**) exonerating the petitioner of the charges, however, the punishing authority without issuing a dissenting note, proceeded to impose major penalty of stoppage of two increments with cumulative effect vide impugned order dated 27.06.2013 (**Annexure P-6**).

At the time of hearing, learned counsel for the respondents

submit that the present petition has become infructuous in view of the

competent authority having withdrawn the impugned order dated 27.06.2013 **(P-6)** vide subsequent order dated 16.12.2014, while reserving the right to proceed a fresh from the appropriate stage.

In response, learned counsel for the petitioner submits that another order dated 05.09.2016 has been passed whereby the punishing authority has concurred with the findings of exoneration recorded by the Enquiry Officer in his report dated 14.03.2012 **(P-2)**. He, thus, submits that the present petition has become infructuous.

In view of above, the present writ petition stands dismissed as infructuous.

October 06, 2016

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes
Whether Reportable	No