

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.26557 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the action of the 1st respondent in trying to promote the juniors of the petitioner to the post of Junior Accounts Officer due to imposition of punishment of withholding of two increments with cumulative effect, as arbitrary and illegal, and consequently, to direct the 1st respondent to consider the candidature of the petitioner for promotion as Junior Accounts Officer.

2. Heard Sri S. Ashok Anand Kumar, learned Counsel for the petitioner and Sri M. Ravindra, learned Standing Counsel for the 1st respondent.

3. It has been submitted by the learned Counsel for the petitioner that the petitioner was imposed punishment of stoppage of two increments with cumulative effect and that the petitioner preferred an appeal before the appellate authority and that the appellate authority had modified the punishment to that of stoppage of one increment without cumulative effect and as the petitioner was undergoing the currency of punishment, the case of the petitioner could not be considered to the post of Junior Accounts Officer, and therefore, this writ petition is filed seeking a direction to promote the petitioner as Junior Accounts Officer on par with his juniors.

4. Learned Standing Counsel for the 1st respondent submits that the petitioner had expired during the pendency of this writ petition and nothing survives for adjudication in this writ petition. It is also brought to the notice of this Court by the learned Standing Counsel for the 1st respondent that all the benefits, to which the petitioner is entitled, were

already paid. The learned Counsel for the petitioner also submits that the petitioner had died and nothing survives for adjudication in this writ petition.

5. Recording the above submissions, the Writ Petition is dismissed as infructuous. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

26th December, 2017
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