

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP No. 1379 of 2016

Date of decision : 26.05.2017

Upkar Singh

....Petitioner

V/s

Balbir Singh & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ranjit Saini, Advocate for the petitioner.

Mr. V. Ramswaroop, Addl. A.G. Punjab.

RAJAN GUPTA J.

Reply by way of short affidavit of Sukhdev Singh, Director of Public Instructions (Secondary Education) has been filed in court. Same is taken on record. According to State counsel order passed by writ court has been complied with. He has referred to para 4 thereof. Same reads as under:-

“4. That in this regard it is respectfully submitted that the claim of the petitioner was decided by passing a speaking order No. 12/58-2013 Estt-iii (5) dated S.A.S. Nagar 12.05.2015 and copy of it was sent to the concerned District Education Officer (S.E./E.E.) Hoshiarpur for further necessary action. However now it came to the knowledge of the answering deponent that the order dated 12.05.2015 had not been implemented by the concerned officials. The department has initiated departmental proceedings against the officials who are responsible for the non implementation of this order. It is further submitted that now the said order has been implemented and the payment of Rs. 349578/- on account of arrears of ACP from 10/88 to 10/14

has already been paid to the petitioner vide receipt dated 13002.2017. Copy of the receipt is annexed hereto as Annexure R1 for the kind consideration of this Hon'ble Court. It is also pertinent to mention that revised certificate and report of Principle Accountant General (A&E), Punjab, Chandigarh on admissibility of Pension/Death-cum-Retirement Gratuity in respect of the Petitioner in pursuance to the implementation of the order dated 12.05.2015 has already been issued vide dispatch No. PEN 04/2181216646/2016-17/PE/16/15/80118738 dated 05.12.2016. Copy of letter dated 05.12.2016 is annexed hereto as Annexure R-ii for the kind consideration of this Hon'ble Court."

In view of above, no cause of action survives in this petition.

Same is disposed of. Rule is discharged.

Petitioner shall, however, be at liberty to seek revival of the petition in case any cause of action survives.

May 26, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No