

**COCP No.803 of 2014**

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

**COCP No.803 of 2014  
Date of Order: 18.04.2017**

Om Parkash Arora

....Petitioner

Versus

Kamal Kumar Garg and Ors

....Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. R.K. Arora, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

Mr. S.S. Sarwara, Advocate for respondent Nos.4 & 5.

**JASWANT SINGH, J (ORAL)**

The petitioner was working as Drawing Teacher in a privately managed Government Aided School (K.K. High School), Rajpura. His services were terminated vide order dated 15.6.1987. The Educational Tribunal vide order dated 27.1.1993 (P.1) allowed the claim of the petitioner and while setting aside the termination order directed the reinstatement. The Management of the School filed CWP No.3006 of 1993, which culminated into passing of an agreed order dated 07.2.1994 (P.2).

In terms of agreed order, the petitioner was reinstated with the School w.e.f 14.2.1994 with continuity of service, along with 30% of the arrears of salary to be paid in two equal instalments and on attaining the age of superannuation, he retired on 31.12.2011. As the benefit of continuity of service towards fixation of salary was not extended, the petitioner filed another

CWP No.13374 of 1998, which was disposed of vide order dated 03.5.2002 with a direction to the Authorities to first verify regarding the claim for reimbursement under the grant-in-aid scheme. The necessary action was to be taken within a period of six months. Since the needful was not done within the stipulated time, hence the present petition.

Upon notice, a detailed reply has been filed along with orders dated 19.9.2014 (R.1) and 23.9.2014 (R.2) passed by the office of DPI, Secondary Education Punjab deciding the entitlement of the petitioner for pay fixation and consequent revised retiral benefits.

At the time of hearing, learned counsel for the parties are agreed that the present petition has become infructuous, in the light of the entire dues having been sanctioned and released to the petitioner.

In view of aforesaid, present petition is dismissed as having become infructuous and the rule is discharged.

**April 18, 2017**  
**manoj**

**(JASWANT SINGH)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No