

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 1069 of 1996
Date of Decision: May 11, 2017

Sunil Kumar Sharma and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Jagdish Manchanda, Advocate,
for the petitioners.

Mr. Ravi Partap, AAG, Haryana.

Mr. C.B. Goel, Advocate,
for respondent No.3.

P.B. Bajanthri, J.

1. In the instant writ petition, petitioners have questioned the validity of Annexure P/13 which reads as under:-

“Board of Director took the following decisions as per recommendation of Budget Estimate Committee of Haryana Vidhan Sabha. After going through the recommendation of Budget Estimate Committee, the Board of Director decided that due to tight financial position of the mill, there is urgent necessary to observe economy:-

i. Dispensary being run by the Mill should be closed immediately and all the staff should be retrenched forthwith keeping in view all the pros and cons of the matter under law.

ii. x x x x x”

2. During pendency of this petition, decision of the Board of Directors, services of Dr. Sunil Kumar Sharma, first petitioner in the present case, have been dispensed vide order dated 28.06.1997 (Annexure P/15 in CWP No. 17657 of 1997, connected with this petition).

3. In view of later development insofar as Dr. Sunil Kumar Sharma, first petitioner, is concerned and the fact that whether Sugar Mill have taken consequential action in respect of petitioners no. 2 to 7 are not forthcoming and so also there is no reference or pleadings by either of the petitioners to the extent whether services of petitioners no.2 to 7 were also dispensed or not and what has been questioned in the present petition is only a decision taken by the Board of Directors, therefore, no cause of action has accrued in respect of petitioners no.2 to 7. Insofar as first petitioner – Dr. Sunil Kumar Sharma is concerned, his service has been dispensed on 28.06.1997 which has been set aside in connected matter i.e. CWP No. 17657 of 1997 today, therefore, instant writ petition do not survive for consideration.

4. Accordingly, instant writ petition stands dismissed.

May 11, 2017
vkd

[P.B. Bajanthri]
Judge

Whether speaking / reasoned : Yes

Whether reportable : No