

**CWP No.18408 of 2001**

**C.T.U., Chandigarh Vs. The P.O., Labour Court, Chandigarh and anr.**

Present: Mr.Vikas Bali, Advocate, with  
Mr.Krishan Jaspal, Law Officer and  
Mr.Vinod Kumar, Superintendent,  
C.T.U., Chandigarh – petitioner.

None for respondent No.2.

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Power of Attorney on behalf of the petitioner has been filed today by Mr.Vikas Bali, Advocate, which has been placed on the record.

The matter has been discussed. It has been stated by learned counsel and representatives of the petitioner that respondent No.2 had retired from service on 31.12.2005, after attaining the age of superannuation and the retiral benefits were already released to him. It has been further stated that now he expired on 22<sup>nd</sup> August, 2009 and that Death Certificate is mark 'A'. It has been further stated that in this writ petition, no stay was granted by the Hon'ble High Court and that now petitioner is not in a position to recover any amount from L.Rs of respondent No.2 in view of law laid down by Hon'ble Apex Court in **State of Punjab and others etc. Vs. Rafiq Masih ( White Washer) etc. 2015 Vol.1 RSJ page 177** and that hence, the present writ petition has become infructuous and the same be dismissed as such.

Ordered accordingly.

**(R.K.Nehru)**  
**President**

**(Ram Chand Gupta)**  
**Member**

**02.03.2017**  
P.Seth