

501

RSA No. 331 of 1995

STATE OF PUNJAB & ANOTHER VS. DALJIT KAUR

Present: Mr. H.S.Garcha, DAG Punjab
 Mr. S.K.Sharma, Advocate for the respondent

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The Appellate Court had decreed the suit of the plaintiff (now the respondent) to the effect that the order of District Education Officer dated 22.11.1985 in not allowing the plaintiff to cross the efficiency bar from the due date is illegal, null and void and against the principles of natural justice as also against the service rules. She was held entitled to cross the efficiency bar. The State of Punjab filed the present Regular Second Appeal challenging the order of the Lower Appellate Court. Though the appeal was admitted but no stay was granted regarding the implementation of the decree in favour of the plaintiff (now respondent) as aforesaid. The appeal is of the year 1995. By now the plaintiff must have retired. Though the counsel has not been able to get this information but as per the report of the office she was not working in the School which address was given while filing the suit. We can assume that the order of Lower Appellate Court must have been implemented by now.

In the aforesaid circumstances, we consider it appropriate at this stage to order consignment of the record of the case to record-room with liberty to the parties to get the case revived in accordance with law, if circumstances so exist.

Copy of the order be supplied/sent to learned counsel/parties.

(R.S.Mongia)
President

(Arvind Kumar)
Member

10.03.2017