

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

CWP No.14617 of 2014 (O&M)
Date of Decision: April 17, 2017

Raju

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Ekta Thakur, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG Punjab.

Mr. Sanjeev Sharma, Advocate
for respondent No.2.

Mr. Sukhdeep Parmar, Advocate
for respondent No.3.

JAISHREE THAKUR, J. (Oral)

The petitioner has sought to invoke the jurisdiction of this court under Articles 226/227 of the Constitution of India, seeking a direction in the nature of Mandamus to be issued to respondent No.2 i.e. Punjab State Small Industries and Export Corporation Limited, to allow the petitioner to work as regular employee with it. During the pendency of these

proceedings, the petitioner expired and is now represented through his legal heirs.

At the time of filing the instant writ petition, it had been submitted that the petitioner was employed as Beldar in the year 1995 with the Punjab State Small Industries and Export Corporation Limited. The services of the daily wage employees were regularized by the said Corporation and thereafter, their services were transferred to Municipal Corporation, Bathinda, vide memo of understanding 25.01.2007, executed between Punjab State Small Industries and Export Corporation Limited and Municipal Corporation, Bathinda. After six months, the petitioner was not allowed to perform his duties with the Municipal Corporation, Bathinda and he approached Punjab State Small Industries and Export Corporation Limited for rejoining, but he was not allowed to rejoin. Despite several representations to Punjab State Small Industries and Export Corporation Limited-respondent No.2, he was not allowed to rejoin. Aggrieved, the instant writ petition has been filed.

Learned counsel appearing on behalf of respondent No.2- Punjab State Small Industries and Export Corporation Limited contends that the petitioner had never approached them for rejoining.

Faced with this, learned counsel for the petitioner seeks permission to withdraw the instant writ petition, with the liberty to approach the Corporation concerned for the relief of release of any benefits that may have accrued to the petitioner on account of his regularization with Punjab State Small Industries and Export Corporation Limited, before he was transferred to Municipal Corporation, Bathinda.

In view of the above prayer made, the petition in hand is dismissed as withdrawn, with liberty to the LRs of the late petitioner to approach the Corporation concerned for release of any retiral benefits/benefits that may have accrued to him.

April 17, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No