

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.12990 of 2004

ORDER:

When the matter is taken up for hearing, none appears for petitioner inspite of the fact that the writ petition is being listed under the caption "for dismissal".

A perusal of the record discloses that the petitioner is challenging the action of respondent in declaring the final seniority list of Deputy Executive Engineers vide proceedings dated 19.07.2004, as illegal, unconstitutional and against the principals of natural justice and accordingly set aside the same.

The learned Standing Counsel appearing for respondent submits that the petitioner has tendered resignation during the pendency of this writ petition on 23.12.2008 and the same was accepted by the respondent on 09.07.2009. In view of the above said fact, the learned Standing Counsel contend that the writ petition has become infructuous.

This Court, having considered the said submission of the learned Standing Counsel, is of the considered view that the cause in the writ petition does not survive. Accordingly, the writ petition is dismissed as infructuous. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

10th December 2018

ajr