

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-444-1996 (O&M)
Date of Decision: 11.05.2018**

Sukhbir Singh Malik

--Petitioner

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- None for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana.

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TEJINDER SINGH DHINDSA, J.(ORAL).

Case paper book has been perused with the assistance of learned State counsel.

Pleadings on record would indicate that while serving as Junior Engineer under the National Highways Division, P.W.D. (B&R Branch), Rohtak, the petitioner was permitted to join the course of Bachelor of Engineering conducted by the Regional Engineering College, Kurukshetra.

For the aforesaid purposes, petitioner was granted 1031 days leave of the kind due vide order dated 10.12.1991.

The instant petition was filed in the year 1996 agitating for grant of study leave instead.

It so transpires that vide documents placed on record and appended as Annexures P-5 and P-6, State Government took a decision to enable such employees to be allowed study leave on half pay/salary but for such benefit a cut of date i.e. 26.07.1993 was prescribed. Essentially,

grievance of the petitioner is that fixation of such cut of date i.e. 26.07.1993 is arbitrary and the petitioner is entitled to be granted study leave on half pay even pertaining to the three years special Bachelor of Engineering Course that he had undertaken from 04.09.1990 to 30.06.1993.

Petitioner was holding the post of Junior Engineer in the year 1990. He would by now have superannuated.

It appears that on account of efflux of time, petitioner has lost interest in perusing the claim set up in the instant petition.

Accordingly, the instant petition is disposed of with liberty to the petitioner to file an appropriate application seeking revival of the petition and by demonstrating that any cause of action/grievance still survives.

Disposed of.

11.05.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |