

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

**Civil Writ Petition No. 12550 of 2017 (O&M)
Date of Decision: 14.12.2018**

Dr. Anirudh Kurich

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karanvir Singh Khehar, Advocate
for the petitioner.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.
for the respondent/State.

JASWANT SINGH, J. (ORAL)

Petitioner (*Dr. Anirudh Kurich*) was serving as Medical Officer with the Department of Health and Family Welfare, Punjab, since 20.12.1993 on regular basis. By filing the present petition, he has challenged the charge-sheet dated 26.07.2016 (**Annexure P-1**) issued under Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Allegation is that the petitioner, while being posted as the Incharge of the Jail Hospital, Central Jail Jalandhar at Kapurthala, had remained absent on 20.11.2011, due to which one of the ailing prisoners had died.

The contention of the petitioner was that the day of the incident was Sunday, and therefore, he was not required to be present on the said date. That apart, the charge-sheet was issued after five (05) years of the alleged incident.

At the time of hearing, counsel for the petitioner states that the petitioner has died on 17.02.2018, therefore, the present petition has become infructuous.

Learned State Counsel, on instructions from Mr. Jagtar Singh, Clerk, O/o DHS, Punjab, states that although the Enquiry Officer had commenced the proceedings, however, were only at the initial stage. He concedes that in view of the death of the petitioner, nothing more survives either in the petition or in the pending disciplinary proceedings, which are deemed to have abated. He further assures that the admissible retiral benefits would be released to the legal heirs of the petitioner at the earliest.

In view of the aforesaid circumstances, present petition is **disposed of as infructuous.**

December 14, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>