

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

CWP No.1839 of 2014

Date of Decision:-03.04.2018

Baldev Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rajinder Kumar, Advocate for
Mr. JPS Sidhu, Advocate for the Petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab.

Mr. Sumeet Abrol, Advocate for respondent no.4-MC Mansa.

JASWANT SINGH, J.(ORAL)

Petitioner retired as Clerk from the office of Municipal Council, Mansa has filed the present writ petition under Article 226/227 of the Constitution seeking issuance of writ in the nature of Mandamus directing the respondents to treat the suspension period as duty period for all benefits of pay and allowances and retiral benefits as per resolution no.359 dated 30.07.2012 passed by respondent no.4 and approved by respondent no.3 and further prayer is for directing the respondents to pay the entire/balance retiral benefits to the petitioner on pay of Rs.19980/- amounting to Rs.9,10,699/- by treating the suspension period as duty period as per resolution dated 30.07.2012 passed by the respondent no.4 and even

implemented by respondent no.3 but respondent no.3 had paid the retiral benefits on pay of Rs.18,960/- amounting to Rs.7,50,053 and thereby wrongly and illegally withheld the arrears without any reason. Further prayer is made for release of full pay and allowances and all other consequential benefits of suspension period from 5.9.1990 to 2.7.1997 as per the resolution dated 30.07.2012 passed by the Muncipal Council Mansa and approved by respondent no.3. Further prayer is made for release of arrears of pension from 01.10.2012 to 31.08.2013 and committed value of pension amounting to Rs.5,90,419/- as admitted by respondent no.3 and lastly prayer was made for payment of revised pensionary/retiral benefits after the revision of the pay scales w.e.f. 01.01.2006

At the time of hearing, learned Counsel for the respondent no.4 submits that the present writ petition has become infructuous since the necessary benefits as prayed for in the petition have been granted to the petitioner.

Learned Proxy Counsel for the petitioner conceded to the aforesaid submission made on behalf of respondent no.4.

In view of the aforesaid agreed stand, present writ petition is hereby dismissed as infructuous as the necessary benefits have been granted to the petitioner.

(JASWANT SINGH)
JUDGE

April 03, 2018
Vinay

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