

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

**CWP No. 25324 of 2015 (O&M)
DATE OF DECISION : 27.11.2018**

Kashmir Singh Saini

...Petitioner

versus

**Haryana Vidyut Prasaran Nigam Limited
and others**

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ashwani Talwar, Advocate,
for the petitioner.

Mr. Namit Kumar, Advocate,
for respondents No.1 to 3.

ARUN MONGA, J.(Oral)

1. After arguing for some time, learned counsel for the parties are *ad idem* that the present writ petition to the extent of challenging the enquiry report submitted pursuant to the charge-sheet dated 29.12.2015 (Annexure P-37), has become infructuous. Reason being that later on based on the said enquiry report, an order dated 02.08.2016 was passed, during pendency of the writ petition, whereby punishment of reduction of pay was awarded to the petitioner.

2. Learned counsel for the respondents states that the petitioner is at liberty to pursue his remedy against the said order dated 02.08.2016 by filing department appeal.

3. Learned counsel for respondents contends that in view of the order dated 02.08.2016 charge-sheet stands concluded. Whereas on the other hand, learned counsel for the petitioner contends that though there is provision of departmental appeal provided under the law to assail the said order but due to the pendency of the writ petition, he did not file the said appeal but now he wants to avail the remedy of appeal against the order dated 02.08.2016.

4. Be that as it may, the present writ petition has become infructuous as the order dated 02.08.2016 is not under challenge herein. Accordingly dismissed as infructuous.

(ARUN MONGA)
JUDGE

NOVEMBER 27, 2018

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |