

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-12319-1997

Date of Decision: 19.08.2019

Varinder Khanna

... Petitioner

vs.

State of Punjab and Ors

.. Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Shobit Phutela, Advocate  
for the petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab.

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**ARUN MONGA, J.(ORAL)**

Impugned herein is an order dated 09.08.1997 (Annexure P-7), whereby the petitioner was reverted from the post of Legal Assistant to the post of Senior Clerk allegedly without giving him any show cause notice or an opportunity of being heard.

2. This Court, during the pendency of the writ petition, passed an order dated 25.09.1997, the relevant whereof is extracted hereinbelow:

*“Operation of the impugned order dated August 9,1997, copy Annexure P-7, shall remain stayed. Resultantly, the petitioner will be allowed to work as a Legal Assistant. This will, however, be without prejudice to the right of any senior Clerk who may be senior to the petitioner as Senior Clerk and is a Law Graduate”*

3. In the course of hearing, learned counsel for the petitioner submits that subsequent to the passing of aforesaid order, petitioner was promoted to the post of Law Officer from Legal Assistant vide an order dated 26.08.2010.

4. The petitioner is stated to have earned further promotion from the post of Law Officer to the post of Legal Advisor vide Resolution No. 390 dated 02.12.2011 during the pendency of the writ petition.

5. Learned counsel for the petitioner further submits that on the basis of same very qualification and experience, as that of the petitioner, one Mr. Kanwaljit Singh Kahlon (respondent No.4) was also promoted as Legal Assistant and then as Legal Advisor and after successfully completing his service tenure, he has retired from service.

6. Be that as it may, in the light of promotions granted to the petitioner from Legal Assistant to the post of Law Officer and further from the post of Law Officer to the post of Legal Advisor, the present writ petition is rendered infructuous inasmuch as the challenge to his reversion from the post of Legal Assistant to the post of Senior Clerk is totally inconsequential in view of the respondents themselves having awarded the petitioner with further promotion.

7. Accordingly, writ petition is disposed of as having been rendered infructuous.

**19.08.2019**  
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**(ARUN MONGA)**  
**JUDGE**

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|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether Reportable        | : Yes/No |