

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

(211)

CWP-26137-2015

Date of Decision: August 27, 2019

Narender Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tribhuvan Dahiya, Advocate, for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

Mr. Ramesh Malik, Advocate, for respondents No. 3 to 5.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the challenge is to the order dated 18.11.2015 (Annexure P-14) by which the show cause notice was issued to the petitioner by the respondent-management as to why action should not be taken to terminate the services of the petitioner as the appointment of the petitioner as a Science Master was in violation of the statutory Rules.

Learned counsel for the petitioner states that during the pendency of the writ petition, the petitioner has already left the job of respondent No.3 and has joined the Department of Elementary Education as Science Master and he is working in the Department of Elementary Education since 01.02.2018 and therefore, at this stage, once the petitioner is not working with respondent No.3, no action can be taken in pursuance to the show cause notice (Annexure P-14) which has been impugned in the present writ petition.

On being asked that once the petitioner is no longer in service of respondent No.3, whether respondent No.3 intends to take any

action against the petitioner in pursuance to the show cause notice (Annexure P-14) when show cause notice lost its significance in pursuance to the subsequent events.

Learned counsel for respondents No. 3 to 5 states that they are not going to proceed any further in respect of the show cause notice (Annexure P-14). The reason given by learned counsel for respondents No. 3 to 5 is that the show cause notice was issued to the petitioner in pursuance to the direction given by the Director, Secondary Education Haryana, in which department the petitioner has been appointed subsequently and as petitioner is no longer working with respondents No.3 to 5, no action can be taken in pursuance to the show cause notice at this stage.

Keeping in view the statement given by learned counsel for respondents No. 3 to 5 that they do not intend to pursue the show cause notice (Annexure P-14) any further keeping in view the subsequent events. Learned counsel for the petitioner states that in view of the statement made by counsel for respondents No. 3 to 5, the present writ petition has been rendered infructuous and may be disposed of as such.

In view of the above, the present writ petition is disposed of having been rendered infructuous.

(HARSIMRAN SINGH SETHI)
JUDGE

August 27, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No