

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

CWP No. 3414 of 2017

Date of decision : 13.11.2019

Mahender Singh

....Petitioner

Versus

**The Managing Director, Dakshin Haryana Bijli Vitran Nigam and
others**

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ajay Pal Singh, Advocate for the petitioner.

Mr. D.S. Nalwa, Advocate for the respondents.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance which is being raised by the petitioner is against the order dated 18.05.2016 (Annexure P-11) and the order dated 26.09.2016 (Annexure P-12) by which, the punishment of recovery was imposed upon the petitioner equivalent to four annual increments, which was ultimately reduced to two by the appellate authority, while passing order dated 26.09.2016 (Annexure P-12).

Learned counsel for the respondents has filed an affidavit today, wherein, it has been stated that the orders of punishment dated 18.05.2016 (Annexure P-11) and 26.09.2016 (Annexure P-12) already stand withdrawn, thereby, rendering the present writ petition infructuous. Learned counsel for the respondents by placing reliance upon the said affidavit, states that all the pensionary benefits of the petitioner have already been released and nothing remains to be paid to the petitioner. Learned counsel for the respondents states that after withdrawing the orders of

punishment, the claim of the petitioner for promotion to the post of Assistant Foreman is already under process and has been sent to the competent authority for consideration and for passing appropriate orders in this regard.

Learned counsel for the petitioner states that even the case for the grant of 3rd ACP should also be re-considered keeping in view the fact that punishment orders have been withdrawn.

Learned counsel for the respondents states that while considering the case of the petitioner for promotion, even his case for the grant of said benefit, will be considered and if permissible under the Rules, the benefit will also be extended. Learned counsel for the respondents states that the necessary decision with regard to the promotion as well as with regard to the grant of 3rd ACP will be taken within a period of three months from the date of receipt of certified copy of this order and appropriate orders so passed will be conveyed to the petitioner.

Learned counsel for the petitioner states that keeping in view the statement made by learned counsel for the respondents, he does not wish to press this writ petition any further.

Writ petition is dismissed as not pressed.

However, the respondents will be bound by their statement as recorded above.

November 13, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No