

IN THE HIGH COURT OF PUNJAB ANDHARYANAAT
CHANDIGARH

1. **CWP No. 1945 of 1994**

Romesh Chander Sardana

.....Petitioner

vs.

State of Haryana and ors.

....Respondents

2. **CWP No. 4266 of 1994**

Des Raj Bhatia

.....Petitioner

vs.

State of Haryana and others

....Respondents

3. **CWP No. 17553 of 1998**

Des Raj Bhatia and anr.

.....Petitioners

vs.

State of Haryana and others

....Respondents

Date of decision:-25.02.2020

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. S.S. Rana, Advocate
for the petitioner in CWP No. 1945-1994.

None for the petitioner in CWPNo. 17553-1998

Mr. K.C. Bhatia, Advocate
for the petitioners in CWP No. 4266-1994.

Mr. Harish Nain, AAG, Haryana

Mr. Kanchan Devi, Advocate for
Mr. Amrit Paul, Advocate
for respondent No. 20 in CWP No. 17553-1998

RITU BAHRI, J.

This order shall dispose of the above three petitions as common

question of facts are involved in all the petitions wherein petitioners are seeking direction to the respondents to prepare the seniority list as per Punjab P.W.D (Irrigation Branch) Circle Clerical State Service Class-III Rules 1955.

Initially the above writ petitions were admitted and in CWP No. 1945-1994, while issuing notice of motion, it was ordered that the present writ petition will be heard along with CWP No. 14926-1993 and the interim order was granted in the same terms. However, CWP No. 14926-1993 was decided on 18.01.2006 in terms of order dated 18.01.2006 passed in ***CWP 15075-1998 tiled as Rajinder Kumar vs. State of Haryana and others*** and the operative part of the order reads as under:-

“Sh. Rajiv Kataria, the learned counsel appearing for the petitioners in CWP No. 1739-2004, however, points out that the petitioners have also challenged the reversion order which had been passed as a consequence of re-fixation of the seniority in accordance with 1982 Rules. It has also been pointed out that the reversion of the petitioners was stayed by an interim orders passed by this Court while admitting the writ petition.

Be that as it may, it is apparent that on account of efflux of time, the petitioners are no longer in service. The challenge of the petitioners to the seniority list is wholly academic in nature. However, on account of the fact that the reversion order of the petitioners was stayed by this Court while admitting the writ petitions and the petitioners apparently have retired while working on a higher post on

account of the aforesaid interim order, it would be appropriate to direct that no recovery, if any shall be made by the State on account of the aforesaid reversion orders.

In view of the factum of retirement of petitioners, all the writ petitions are disposed of as having been rendered infructuous. However, no recovery shall be effected from the petitioners on account of any reversion orders. It is made clear that if any cause of action survives to the petitioners in any of the petitions, then they would be at liberty to get the petition revived qua their own cause.

Keeping in view the above order, the present writ petitions are disposed of in terms of CWP No. 14926-1993 titled as Baldev Singh Jaswal and others vs. State of Haryana and others, decided on 18.01.2006.

25.02.2020
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No