

CWP No. 13331 of 2020

Date of Decision: 02.09.2020

Dr. Abhishek

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Tribhawan Singla, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks issuance of a writ in the nature of '*certiorari*', quashing the letter dated 15.05.2020 (Annexure P-9), to the extent, that the respondents have decided not to continue with the service of the petitioner beyond 31.08.2020.

At the outset, learned counsel for the petitioner submits that in an identical matter, i.e. CWP No. 12933 of 2020, titled as Dr. Akshay Pathak and others vs. State of Punjab and others, an order has been passed yesterday, i.e. on 01.09.2020, disposing of that petition on a statement made in favour of the petitioners therein by the learned State counsel appearing in that case.

The said statement reads as follows:-

*“Mr. Vikas Mohan Gupta, Additional
Advocate General, Punjab upon instructions from*

Dr. D.K. Tiwari, Principal Secretary, Department of Medical Education and Research, Punjab apprises the Court that the services of the petitioners would not be terminated till such time, regular appointees do not join. That apart, learned State counsel informs the Court that salary till December, 2019 would be released positively within a period of 10 days from today. That apart, an undertaking is furnished for the salary for the period of January, 2020 onwards would be released within a period of six weeks from today.”

Notice of motion.

On the asking of the court, Ms. Anu Pal, D.A.G., Punjab, accepts notice on behalf of the respondents, she already having received instructions in the matter.

She does not dispute the above and submits that in fact, as per her instructions, the petitioner is identically placed as the petitioners in that petition.

Consequently, this petition is also disposed of as having been rendered infructuous because obviously with the petitioner identically placed as the petitioners in that petition, and a statement having been made to the aforesaid effect, that would apply to the case of the present petitioner too.

The respondents are therefore held bound to that statement in the present case also.

September 02, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.