

LPA-1143-2017 (O&M)

Date of Decision: 13.02.2020

Sushant Bhatia

...Appellant

Versus

State of Punjab and another

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH****Present:** Mr. Bikramjit Aroura, Advocate for the appellant.

Mr. Shireesh Gupta, Senior DAG, Punjab

JASWANT SINGH, J. (ORAL)

The appellant, while working purely on temporary basis as Secretary, Municipal Corporation, Amritsar, pursuant to the order dated 30.12.2016 was along with similarly situated employees sought to be reverted and as a consequence of order dated 08.05.2017 withdrawing order dated 30.12.2016. The reason for withdrawal being the earlier promotions having made without holding of Departmental Promotion Committee.

The appellant-petitioner and the other affected employees filed their respective writ petitions. In CWP No.12130-2017 filed by the appellant-petitioner, although notice of motion was issued, however, no stay against the impugned reversion order dated 08.05.2017 was granted.

Hence, the present appeal directed against interim order dated 30.05.2017.

At the time of hearing, it is conceded that aforesaid CWP No.12130-2017 alongwith the connected writ petitions wherein stay had been granted are listed for final hearing on 25.02.2020 before learned Single

Judge. It is also conceded that in spite of no stay having been granted

against order dated 08.05.2017 till an order dated 07.07.2017 passed in the present LPA, the appellant-petitioner had been permitted to continue on the post of Secretary, perhaps on the same analogy as other employees in whose favour stay had been granted.

In view of the fact that appellant has been permitted to continue as Secretary, the substantive relief prayed for in the instant appeal, thus stands granted by the respondents themselves. Hence, the prayer is for withdrawal of the appeal.

Dismissed as withdrawn.

It is however, clarified that in case rest of the affected employees named in the impugned order dated 08.05.2017 are permitted to continue, the appellant would also be extended the same treatment, subject, of course, to the final adjudication of the writ petition.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

13.02.2020

mks

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