

Item No.56

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

C.A.No.2 OF 2011

JUDGMENT: *(Per the Hon'ble the Chief Justice Hima Kohli)*

1. Though the name of learned counsel appearing for the respondent has been reflected in the cause list, none was present on behalf of the respondent on the last date of hearing. Same is the position today.
2. The appellant is aggrieved by the order dated 17.06.2011 passed by the learned Single Judge in C.C.No.414 of 2011 arising from W.P.No.833 of 2011 whereunder, the learned Single Judge had opined that he has violated the order dated 24.01.2011 whereby, the suspension order dated 04.01.2011 issued by the appellant has been stayed during the pendency of the writ petition and resultantly, the appellant has been sentenced to undergo civil imprisonment for a period of 15 days besides paying a fine of Rs.2,000/-.
3. Mr. A.Sanjeev Kumar, learned Special Government Pleader states that before the impugned order was passed, the writ petition came to be decided on 24.01.2011 by directing the appellant to conduct a fresh enquiry in the matter. The said enquiry was concluded on 27.07.2011 and permission to the writ petitioner, to run the fair price shop was restored. Stating that the appellant has retired on 31.03.2020 and he has already deposited the fine, he requests that

the appellant's unqualified apology may be accepted and the matter may be closed.

4. In view of the long passage of time, the fact that the writ petitioner had succeeded in the petition and the appellant has paid the fine of Rs.2,000/-, no further orders are required to be passed in the present appeal, which is accordingly disposed of along with the pending applications, if any.

HIMA KOHLI, CJ

B.VIJAYSEN REDDY, J

16.04.2021
Lrkm