

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

CWP No.24081 of 2021 (O&M)

Date of Decision: 20.12.2021

Ashok Kumar Singla

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vikram Amarnath Garg, Advocate for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent to release the salary along with other benefits to the petitioner of the Post of Member Advisory Board, under the NDPS Act, Department of Home Affairs and Justice, Government of Punjab.

This Court while issuing notice of motion on 29.11.2021 passed the following order:-

“Petitioner, who is a retired District & Sessions Judge, has filed the present writ petition for release of his salary along with other allowances admissible to him while working as Member, Advisory Board constituted under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion for 20.12.2021.

Ms. Akshita Chauhan, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent and seeks time to have instructions in the matter.

If there is no legal impediment, let needful be done within two weeks from today and necessary affidavit in this regard be filed by the sole respondent before the next date of hearing.

In response to the above order, short reply by way of affidavit dated 16.12.2021 of B. Srinivasan, Special Secretary to Govt. of Punjab, Department of Home Affairs and Justice has been filed. Para 3 of the same, being relevant, reads as under:-

“That the Salary of the Petitioner for period of 30.10.2019 to 30.11.2021 has been released vide Pay Order dated 07.12.2021 and same has been deposited in the account of the petitioner through ECS. The Copy of the Pay Order dated 07.12.2021 is attached herewith as Annexure R-1.

It is respectfully prayed that since the Salary of the petitioner has already been released, therefore the present petition may kindly be dismissed having been rendered infructuous.”

In view of para 3, extracted hereinabove, it is apparently clear that relief claimed by the petitioner has already been granted.

The above factual position is duly acknowledged by learned Counsel for the petitioner as well.

Hence, nothing survives in the present petition and the same is disposed off as such.

December 20th, 2021

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>