

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

Sr. No.544

**CWP-11663-1999 (O&M)
Date of decision: May 17, 2022**

Suraj Bhan, Ex-Driver

...Petitioner

Versus

The State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D. Sharma, Deputy Advocate General, Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1999, *inter alia*, for issuance of a writ in the nature of mandamus directing the respondents to pay additional compensatory amount to the petitioner as per Haryana Government instructions dated 20.08.1992 (Annexure P-2) on account of his compulsory retirement being medically unfit along with 24% interest.

2. Petition was admitted on 07.09.2000.
3. When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, it has been rendered infructuous and/or the petitioner seems to have lost interest in pursuing the same.
4. In any case, it appears that even on merits, grievance of the petitioner has been redressed in view of the following stand taken in para No.3 of the written statement, which is reproduced herein below for ready reference:

“3. That para No.3 of the writ petition is admitted to the extent of filing writ petition No.6291 of 1993. It is wrong and denied that lower post was vacant. Remaining para of the writ petition is not disputed being matter of record. He was offered additional compensation in view of the Transport Commissioner, Haryana instruction dated 20.08.1992. But the petitioner did not accept the additional compensation. Now the additional compensation amounting to Rs.31223/- has been paid to him.”

5. I am in agreement with the stand taken by the respondent-State as aforesaid. The same in any case has not been controverted either by way of replication or by way of any additional affidavit.
6. In view of the aforesaid, no ground for interference is made out. Petition is disposed of as having been rendered infructuous with liberty to the petitioner to file an appropriate application in case any cause of action still survives.
7. Since the main case has been decided, pending civil miscellaneous application, if any, also stands disposed of.

(ARUN MONGA)
JUDGE

May 17, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No