

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

CWP-5591-2003 (O&M)

Date of decision: November 17, 2022

Daya Chand and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.D. Sharma, DAG Haryana.

Mr. Sandeep Dhull, Advocate for respondent No.4.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned office orders dated 20.12.2002 and 31.12.2002 (Annexures P-3 & P-5) whereby respondent No.4 was appointed as Clerk and further promoted as Assistant. Further, issuance of a writ in the nature of Mandamus directing the respondents to promote the petitioner as Assistant after refixing the seniority.

2. Petition was admitted for hearing on 30.04.2004.

3. When taken up for final adjudication, after around 18 years, none has put in appearance on behalf of the petitioners. In this context, it is important to note that a specific notice has been issued in the cause list, as well as, on the notice Board of the Court room, stating ***“In the category of “To Be Taken UP” Regular matters shown in the daily cause list, if learned counsel still do not appear, it would be an indicator that they are not***

interested in pursuing the same and the cases shall then be decided regardless of their presence. Learned counsels are, therefore, requested to watch the regular cause list of the Court.” Notwithstanding none appears.

Court is left with no choice but to dismiss the petition.

4. Even otherwise by sheer effluxion of time and pendency of the writ petition for more than 19 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

5. Be that as it may, dismissed with liberty to the petitioners to file an appropriate application in case any cause of action still survives.

6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

November 17, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No