

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

CWP No. 5084 of 2020 (O&M)
DATE OF DECISION :- January 07, 2022

Som Nath **...Petitioner**

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. And others **...Respondent**

CWP No. 10315 of 2020 (O&M)

Som Nath **...Petitioner**

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. And others **...Respondent**

CORAM: HON'BLE MR. JUSTICE H.S. MADHAN

Present:- None for the petitioner.

Mr. Satyam Tandon, Advocate for respondents No. 1 to 6.

C.M. No. 17138 of 2021 in
CWP No. 5084 of 2020

The case has been taken up through Video Conferencing.

As per report by the Registry, notice of the application has been issued to learned counsel for the petitioner but he has not turned up. The main case is taken up today for hearing.

C.M. No. 17137 of 2021 in
CWP No. 10315 of 2020

This is an application for pre-poning the date of hearing of the main case fixed for 31.3.2022.

Heard.

For the reasons mentioned in the application and in the interest of justice, the application is accepted and the date of hearing in the main petition is pre-poned for today.

CWP No. 5084 of 2020 and
CWP No. 10315 of 2020

There is no representation on behalf of the petitioner. On the last date of hearing it was contended by learned counsel for respondents No. 1 to 6 that grievances of the petitioner have been redressed and he had undertaken to withdraw the writ petitions, therefore, the writ petitions be disposed of by pre-poning the date of hearing as per undertaking given by the petitioner and notice of the applications moved in that regard on behalf of respondents No. 1 to 6 had been ordered to be given to learned counsel for the petitioner. Such counsel has been properly served as per report by the Registry. Learned counsel for respondents No. 1 to 6 states that advance copies of the applications had also been supplied to learned counsel for the petitioner, in case he has not opted to put in appearance then further proceedings are to take place. As per reply filed on behalf of respondents along with Annexures in the form of copy of affidavit said to have been furnished by the present petitioner, he had undertaken to withdraw the present writ petitions.

In view of the fact that his request for voluntary retirement was considered and accepted by the competent authority and he was ordered to be voluntarily retired from Nigam service on 31.3.2020 though said order was withdrawn on account of outstanding dues against the department. It has been contended by learned counsel for respondents No. 1 to 6 that

request of the petitioner for voluntary retirement has been accepted vide order dated 17.5.2021. Since as stated by counsel for respondents No. 1 to 6, no due certificate had been issued to the petitioner and he has been allowed to take voluntary retirement and no amount was found to be payable by him to the department and in that way no recovery is to be effected from him, therefore, the present writ petitions have become infructuous and are dismissed as infructuous.

(H.S. MADAAN)
JUDGE

January 07, 2022

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No