

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

**CWP-11954-2002
Date of decision :05.12.2022**

PARVESH KUMAR KALIA
VS
STATE OF HARYANA AND ORS.

...Petitioners
...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Mandamus directing the respondent No.1 to count the previous service of the petitioner as Clerk for the period 06.09.1976 to 14.10.1983 for the purposes of increments, leave and protection of pay.

2. Petition was admitted for hearing on 25.10.2004.

3. On the last date of hearing i.e. 13.09.2022, none appeared on behalf of the petitioner. Registry was directed to issue notice to learned counsel for the petitioner. As per office report, learned counsel for the petitioner has been informed. Despite intimation, yet none appears on behalf of the petitioner. 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 20 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

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

(ARUN MONGA)
JUDGE

December 05, 2022

priyanka

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No