

664-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9887-2001 (O&M)

Date of decision: May 24, 2022

Jai Kishan

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Dinesh Ghai, Advocate and
Mr. Nikhil Ghai, Advocate for the petitioner.

Mr. R.D. Sharma, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, is seeking issuance of a writ in the nature of Certiorari for quashing to the extent, the impugned order dated 29.12.1999 (Annexure P-7) passed by respondent No.4, whereby pay of the petitioner has been fixed wrongly as Rs.6500, plus special pay of Rs.100. Further a writ in the nature of Mandamus has been sought for direction to the concerned respondents to fix the salary of the petitioner, at Rs.8000 plus special pay, in pay scale of 8000-13,500, from the deemed date i.e. 18.08.1997, with further direction to pay the petitioner the arrears of salary, promotion, seniority and other consequential service benefits alongwith interest.

2. Petition was admitted for hearing on 07.02.2003.

3. When taken up for final adjudication, after around 21 years, both learned counsels are unable to assist the Court for lack of instructions.

Learned counsel for the petitioner states that despite attempts, his office could not contact the petitioner. In the premise, no useful purpose would be served

to issue fresh notice to the petitioner as the same too would be an exercise in futile. Even the address of the petitioner is also perhaps not complete as is borne out from the memo of parties.

4. Whereas on the other hand learned counsel for the State submits that he made attempts to get instructions from the office representatives of the respondents, but for lack of any assistance, he is unable to address arguments.

5. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

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

(ARUN MONGA)
JUDGE

May 24, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No