

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-745-2002 (O&M)

Date of decision :12.10.2022

Dr. R.S.Jhas

...Petitioner

Vs.

State of Haryana and others

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:** Mr. R.D.Bawa, Advocate and
Mr. Dipanshu Kapur, Advocate,
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 certiorari for quashing the order dated 02.06.1999 (Annexure P-8) vide which pay of the petitioner was reduced. Further prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to refix the pay of the petitioner in the selection grade of Rs.4100-5300 in view of the letter dated 17.06.1992 (Annexure P-13) read with notification dated 08/09.05.1995 (Annexure P-14).

2. While issuing notice of motion on 11.01.2002, future recovery from the salary of the petitioner on the basis of the impugned action was ordered to be stayed. Petition was admitted on 24.02.2003.

3. When taken up for final adjudication, after around 20 years, learned counsel for the petitioner submits that petitioner had died during pendency of the writ proceedings. He further states that his office's attempts to contact the legal representatives have been futile. In the premise, no useful purpose would be served to issue fresh notice to the legal representatives as the same too would be an exercise in futility.

4. It seems that 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/legal representatives seem to have lost interest in pursuing the same.

5. Be that as it may, writ petition is dismissed.

(ARUN MONGA)
JUDGE

October 12, 2022

Vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No