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RSA-2519-1996

State of Punjab Vs. Pawittar Singh Walia

RSA No.2550-1996

Pawittar Singh Walia Vs. State of Punjab and another

Present: Ms.Jasleen Kaur Sidhu, DAG Punjab for the appellant
(in RSA No.2519 of 1996)
for the respondents (in RSA No.2550 of 1996)

Mr.Hoshiar Singh, Advocate for
Mr.Sanjeev Sharma, Advocate for the respondent
(in RSA No.2519 of 1996).
for the appellant (in RSA No.2550 of 1996)

Notice issued to the appellant-Pawittar Singh Walia received back unserved with the report that he has since expired. This fact has also been confirmed by learned counsel for both the parties that Pawittar Singh Walia-appellant has since expired. It has been stated by learned counsel for the appellant-Pawittar Singh Walia that present suit was filed only for recovery of interest on the plea that retirement benefits were not paid to the appellant in time by the respondent-department and the same was decreed and interest was paid @ 12% p.a. to the appellant by the department. It is further stated that appellant has filed appeal only to get the rate of interest enhanced to 18% p.a. He has further stated that department has filed Regular Second Appeal challenging findings of Courts below that interest should not have been awarded. He has further stated that on the death of the appellant, appeal of Govt. department has become infructuous as the amount of interest has already received by the deceased. He has also stated that in that situation, LRs of appellant-Pawittar Singh Walia also do not want to pursue their appeal. However, despite repeated direction, concerned officer of the department is not appearing.

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In view of the same, both the appeals are ordered to be consigned to the record room with liberty to both the parties to get it revived, if they so desired.

A photocopy of this order be placed on the file of connected appeal.

**(R.K.Nehru)
President**

**(Ram Chand Gupta)
Member**

29.11.2022
Meenu