

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

CWP-4028-2003

Date of decision: 15.11.2022

C.P.Dewan

...Petitioner

Vs.

Commissioner and Secretary to Government of Haryana and another

...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 Certiorari quashing the impugned order dated 16.01.2003(Annexure P-4) whereby petitioner was ordered to be compulsorily retired from service as Executive Engineer, on the expiry of a period of three months from the date of receipt of the impugned order.

2. Petition was admitted for hearing on 12.03.2005.

3. When taken up for final adjudication, after around 19 years, none has put in appearance 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 19 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

November 15, 2022
Vandana

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No