

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

CWP-11270-2001 (O&M)

Date of decision: July 04, 2022

Himmat Singh

.....Petitioner

versus

State 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 for quashing the order dated 24.05.1999 (Annexure P-3) whereby petitioner was retired from Government Service on his being declared medically unfit to drive heavy vehicle, allegedly without making any efforts to find out any alternative employment to him.

2. Petition was admitted for hearing in the year 2001.

3. When called out for hearing, there is no representation on behalf of the petitioner. 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.

4. On scrutiny of Court file, it transpires that reply is not on record though learned State counsel submits that it was filed sometime in the year 2002. In course of hearing, he has tendered another copy of the reply which is taken on record.

5. From perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to the stand taken in Para-1 of the preliminary submissions of the reply filed by respondents No.1 to 3.

6. I am in agreement with the stand taken by the respondents. Neither any replication has been filed to the afore-noted stand of the respondents nor any additional affidavit of any kind to controvert the same. Also to be noted that petitioner was retired from Government service after giving him additional compensation to the tune of Rs.55,954/- vide order dated 24.05.1999 in view of the policy of Transport Commissioner, Haryana dated 20.08.1992.

7. Learned State counsel has canvassed his arguments as per the defence taken in the reply filed on behalf of the respondents.

8. In view of the aforesaid, no grounds are made out to interfere.

9. Dismissed.

(ARUN MONGA)
JUDGE

July 04, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No