

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

**CM-12209-CWP-2018 IN/AND
CWP-4630-2006 (O&M)
Date of decision: August 09, 2022**

Som Dutt (since deceased) through his LR

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jaspal Singh Maanipur, Advocate
for the applicant-petitioner.

Mr. R.K.S. Brar, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

CM-12209-CWP-2018

This is an application under Section 151 of Code of Civil Procedure, 1908 for disposal of the main writ petition being covered with the decision dated 03.09.2001 rendered by a Division Bench of this Court in CWP-5566-1999 titled **Prithvi Ram versus State of Haryana and others**, further followed in CWP-15679-2015 titled **Bhagwan Dutt versus State of Haryana** reported in 2017 (3) SCT 68 (Annexure A-1).

Instead of rendering piecemeal decision, main case, which is listed at Sr. No.1316 of the Regular cause list of this Court, is taken up on Board today itself. Application stands disposed of, accordingly.

Main case (O&M)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned order dated 30.01.2006 (Annexure P-8)

passed by respondent No.3 reverting petitioner from the post of Clerk to the post of Ferro Khalasi in Divisional Office.

2. It transpires that during pendency of the writ petition, vide an interim order dated 24.03.2006 reversion of the petitioner was stayed during the pendency of the instant writ petition. In the interregnum, he rendered his full length of service and also superannuated and not only that learned counsel for the petitioner informs that petitioner has since expired.

3. That apart, learned counsel for the petitioner submits that case of the petitioner is covered by the decision dated 03.09.2001 rendered by a Division Bench of this Court in CWP-5566-1999 titled **Prithvi Ram versus State of Haryana and others**, further followed in CWP-15679-2015 titled **Bhagwan Dutt versus State of Haryana** reported in 2017 (3) SCT 68 (Annexure A-1).

4. Accordingly, writ petition is disposed of as infructuous. However, it is made clear that any fortuitous benefits earned by the petitioner by virtue of the interim order *ibid* shall not be taken away while calculating his retiral benefits.

(ARUN MONGA)
JUDGE

August 09, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No