

**114-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1.RSA-1059-1993 (O&M)

State of Punjab

....Appellant

Versus

Harcharan Kumar

..Respondent

2.RSA-2432-1994 (O&M)

State of Punjab and others

....Appellants

Versus

Bharat Bhushan

..Respondent

Date of decision: 25.09.2023

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Ajit Singh Natt, Punjab
for the appellants

Mr. Vijay Kumar Syal, Advocate for the respondent
in RSA-2432-1994

ANIL KSHETARPAL, J (Oral)

1. With the consent of the learned counsel representing the parties, two connected appeals i.e RSA-1059-1993 and RSA-2432-1994, involving an identical issue, are being disposed of by a common order.

2. In both the appeals, the State of Punjab challenges the correctness of the concurrent findings of fact arrived at by the courts below while decreeing the suit filed by the respondent in both the cases for grant of decree of declaration to the effect that their resignation, obtained by coercion, has been accepted.

3. Learned counsel representing the State of Punjab submits that on appreciation of evidence, both the courts have recorded a concurrent finding of fact and he is unable to draw the attention of the Court to any substantive error in the reading or non-reading of the evidence. He further submits that in RSA-1059-1993 the sole respondent, after having been reinstated in service, has already retired. Similar is the position of the sole respondent in RSA-2432-1994.

4. Keeping in view the aforesaid facts, no ground to interfere is made out.

5. Hence, dismissed.

6. All the pending miscellaneous applications, if any, are also disposed of.

25.09.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**