

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

104

2023:PHHC:162866

RSA-527-1995

Date of decision: 19.12.2023

THE EXECUTIVE OFFICER

..Appellant

Versus

DARSHAN SINGH & ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Jasvir Kaur, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

1. On 01.12.2023, the following order was passed:-

“This appeal has been listed after a period of 28 years from the date of its filing. From a perusal of the various orders passed by the court, it is evident that no interim protection was granted to the appellant.

On a Court question, the learned counsel representing the appellant expresses her inability to inform the Court about the implementation of the judgment and decree passed by the First Appellate Court.

Learned counsel representing the appellant discloses that the dispute is with regard to the counting of the prior service rendered by the respondent in the Municipal Committee, Patiala before joining, on transfer, to the Municipal Council, Nabha.

Keeping in view the aforesaid facts, the Executive Officer, Municipal Council, Nabha is directed to file an affidavit disclosing the facts with regard to the implementation of the judgment passed by the First Appellate Court. As per the facts available on record, the respondent joined as an Octroi Clerk on 12.03.1979 and by now, he would have retired, on attaining the age of superannuation.

List on 12.12.2023, in the urgent list.”

2. Thereafter the case was taken up on 12.12.2023, and the case was adjourned to 19.12.2023. While adjourning the case, it was clarified that if the required information is not furnished before the date of hearing, the appeal shall be deemed to be dismissed for non-prosecution.

3. In compliance therefore, the affidavit of Executive Officer, Municipal Council, Nabha, on behalf of the appellant has been filed disclosing that all the benefits in accordance with the judgments passed by the Courts below have already been released in favour of the respondent.

4. The learned counsel representing the appellant submits that in view of the aforesaid development, the appellant does not wish to press the present appeal.

5. Hence, dismissed as not pressed.

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

December 19th, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*