

2023:PHHC:095380

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

Sr. No.231

CWP-7686-2019 (O&M)

Date of Decision: July 26, 2023

PARMOD KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sunil Kumar Nehra, Advocate, for the petitioner.
Mr. Sandeep Singh Mann, Addl. A.G., Haryana.
Mr. Sunil Kumar Dhanda, Advocate, for respondent No.3.

SANDEEP MOUDGIL, J. (ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of India seeking of a writ of certiorari for quashing of impugned order dated 13.03.2019 (Annexure P-10) vide which the promotion order of the petitioner was withdrawn and the same has been assailed on the ground that neither any opportunity of hearing has been provided nor any show cause notice was served against the petitioner. It has been contended on behalf of the petitioner that the benefit of promotion could not be withdrawn without hearing the petitioner and notice of motion was issued on 20.03.2019, whereby the operation of the impugned order was stayed till the next date of hearing.

During the pendency of the writ petition, since the petitioner was not being allowed to work on the promoted post despite interim direction by this Court, COCP No.3315 of 2019 came to be filed which stands disposed of as having been rendered infructuous on account of the fact that order impugned in the instant petition dated 13.03.2019 stands

withdrawn as was stated in the affidavit filed by the Director, Urban Local Bodies-cum-Fire Service, Haryana.

Today, learned counsel appearing on behalf of respondent No.3- Municipal Corporation, Ambala has produced a copy of the said order dated 03.02.2023 in which learned counsel for the petitioner could not controvert that the order already stands withdrawn and in the light of the fact that present petition has also been rendered infructuous.

In view of the above facts and circumstances, the instant petition stands disposed of as having been rendered infructuous.

Pending miscellaneous application, if any, also stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

July 26, 2023
Ankur

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No