

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11133-2023

Date of decision : 26.07.2023

Harpreet Singh

..... Petitioner

Versus

Chandigarh Child and Women Development Corporation Limited and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Rohit Sharma, Advocate
for the petitioner.

Mr. Akshay Jain, Additional Standing Counsel assisted by
Mr. Deepak Malhotra, Assistant Standing Counsel
for respondents.

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HARSH BUNGER, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of certiorari for quashing the impugned notice dated 28.4.2023 (Annexure P-8) whereby the services of the petitioner have been ordered to be terminated after completion of one month notice. Further, writ in the nature of mandamus has been sought directing the respondents not to replace the petitioner with another contract employee in view of judgment rendered by the Apex Court in *Hargurpratap Singh and others Versus State of Punjab and others* (Civil Appeal No. 8746 of 2003, decided on 07.11.2003).

2. A short reply on behalf of respondents has been filed in the Court today and same is taken on record subject to all just exceptions. While referring to the aforesaid reply, learned Additional Standing Counsel appearing on behalf of respondents, submits that the present writ petition has been rendered infructuous. The

relevant extract of short reply reads as under :-

- “3. That during the pendency of present writ petition, the petitioner sent his resignation letter from the post of Superintendent through email on 09.06.2023. In the resignation letter, petitioner mentioned the reason that his resignation is due to some unavoidable circumstances at home which requires his immediate attention and presence, further praying the answering respondent to consider his resignation immediately. Copy of the email alongwith resignation letter is annexed here as Annexure R-2.*
- 4. That the answering respondent accepting the resignation of petitioner, sent letter dated 14.06.2023 and directed the petitioner to hand over the complete charge to Ms. Monika Sharma. Copy of the same is annexed here as Annexure R-3.*
- 5. That the petitioner completed the handed over taken over process. Copy of the handing taking over notes is annexed here as Annexure R-4.*
- 6. That the answering respondent issued experience letter dated 12.07.2023 showing the period of work experience of the petitioner. Copy of the same is annexed as Annexure R-5.*
- 7. That answering respondent also states that no dues are pending towards the petitioner and the petitioner vacated the premises and all the handed over taken over have been completed. Copy of the no dues certificate is annexed here as Annexure R-6.*
- 8. That as respondents have accepted the resignation of the petitioner and relieved him from the post of Superintendent, the present petition being infructuous, may kindly be disposed of accordingly.”*

3. Learned counsel for the petitioner has not disputed the position as stated in the short reply filed on behalf of Chandigarh Child and Women Development Corporation Limited.
4. In view of the above, the present writ petition is dismissed as having been rendered infructuous.
5. Dismissed as infructuous.

(HARSH BUNGER)
JUDGE

26.07.2023
sjks

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No