

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

CWP-26747-2013

Date of decision : 31.01.2023

Paramjit Singh

..... Petitioner

versus

Pepsu Road Transport Corporation and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Pritpal Singh Miglani, Advocate
for the petitioner.

Mr. Aman Sharma, Advocate
for the respondents.

PANKAJ JAIN, J. (Oral)

By way of present writ petition, the petitioner has laid challenge to Annexure P-8 dated 11.11.2013 whereby he was ordered to be reverted back to the post of Driver. Petitioner was working as a Driver with the respondent-corporation. On 12.11.2012, he was ordered to be promoted as Inspector. As per the promotional order placed on record as Annexure P-2, the probation period was fixed for 06 months and the continuation on the promotional post was subject to satisfactory work and conduct. The petitioner was placed under suspension on 07.06.2013 contemplating departmental proceedings and was reverted back to his post of Driver vide order dated 11.11.2017 Annexure P-8 which has been impugned in the present writ petition.

2. Counsel for the petitioner submits that during the pendency of the writ petition, the petitioner now stands promoted as Inspector vide order dated 08.08.2018. Though as per the order, the rights of the petitioner are subject to the outcome of the present writ petition. Still further the petitioner has retired from service on 26.10.2018 on attaining the age of superannuation w.e.f. 31.10.2018.

3. In view of the aforesaid fact that the petitioner was subsequently promoted vide order dated 08.08.2018 and has been allowed to retire as Inspector, in the considered option of this Court, nothing survives in the present writ petition for adjudication. The grievance of the petitioner no longer survives.

4. Counsel for the respondent is right in submitting that against Annexure P-8, the petitioner had a departmental remedy provided under the statute which he failed to avail. Be that as it may, keeping in view the aforesaid fact that the parties have reconciled to the position and the petitioner having attained promotion w.e.f. 08.08.2018 has retired as Inspector, his retiral benefits be released in accordance with law.

5. Disposed off accordingly.

(PANKAJ JAIN)
JUDGE

31.01.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No