

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.7506 of 2015 (O&M)

Date of Decision.01.05.2023

Anil Kumar Yadav

...Petitioner

Vs

District Judge, Gurgaon and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Dhull, Advocate
for the petitioner.

Ms. Shruti Munjal, Advocate
for respondents No.2 and 3.

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JAISHREE THAKUR J. (ORAL)

1. The present writ petition has been filed seeking to challenge order dated 30.03.2015 (Annexure P-4) passed by respondent No.1 whereby appeal filed by the petitioner has been dismissed.

2. In brief, facts are that petitioner was appointed as Administrative Officer on 17.10.2008 and continued to work with Ansal Institute of Technology, till such time, he was ordered to be transferred with Star Facilities Management Limited. Against the said transfer order, petitioner herein approached the Appellate Authority under the Education Act and his transfer order was stayed. The matter was eventually heard by the Appellate Authority and came to be dismissed vide order dated 30.03.2015 on the ground that the Institute itself has closed and it was in the interest of the petitioner herein that his services were being placed at the disposal of another Institute. Against order dated 30.03.2015, the instant writ petition has been filed.

3. Vide interim order dated 30.04.2015, petitioner was permitted to continue on the post held by him with Ansal Institute of Technology. Today when the

matter has been taken up for hearing, learned counsel appearing for respondents No.2 and 3 would apprise the Court that the petitioner has since submitted his resignation on 04.05.2016 and is no longer working with Ansal Institute of Technology and therefore, the writ petition, which has been filed challenging the impugned order of the Appellate Authority, does not survive.

4. I have heard learned counsel for the parties and find that the writ petition has been rendered infructuous, in view of the fact that the petitioner is no longer in service having voluntarily resigned.

5. At this stage, Mr. Malik, learned Senior Advocate would submit that the petitioner, who had continued to work from October, 2014 to June, 2015 and discharged his duties as Administrative Officer, has not been paid his salary and other benefits due to him for the said period and that was the reason he resigned.

6. Learned counsel appearing for respondents No.2 and 3 would submit that in case the petitioner does approach the quarter concerned for redressal of his grievance, the same will be looked into.

7. In view of the above statement having been given at the bar, petitioner is directed to approach respondents No.2 and 3 within a period of two weeks from the date of receipt of certified copy of this order and on his doing so, respondents No.2 and 3 shall look into the matter and if found merit in claim of the petitioner, admissible benefits as accrued to the petitioner will be released to him as expeditiously as possible and preferably within a period of two weeks thereafter.

8. The writ petition is disposed of.

(JAISHREE THAKUR)
JUDGE

May 01, 2023

Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No