

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CWP-12245-1997 (O&M)
Date of Decision: 16.02.2024

SUKBIR SINGH & ORS

..... PETITIONERS

V/S

INDIAN RAILWAYS CONSTRUCTIONS CO. LTD. & ORS

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: None for the petitioners.

Mr. Manish Jain, Advocate and
Mr. Manan Jain, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of Constitution of India are seeking direction to the respondents to grant pay scale of SWS Operators with effect from the date of their adjustment/promotion.

2. On 25.11.1999, the following order was passed:-

“One of the points raised in this writ petition is- Whether a writ petition is maintainable against the present respondents i.e. Indian Railways constructions Co. Ltd. (in short 'Ircon')? This point is pending consideration in CWP Nos. 4888, 5374 and 5375 of '98. Some of the present petitioners are also petitioners in those cases. This has been mentioned in paragraph 5 of the reply filed on behalf of Ircon. In these circumstances, we admit this

writ petition to regular hearing and order it to be heard with CWP 4888/98.”

3. The petitioners No. 2, 4, 5 and 7 have withdrawn their petition, thus, matter is confined to petitioners No. 1, 3 and 6.

4. By order dated 05.09.2017, CWP No. 4888 of 1998 has been disposed of. The order dated 05.09.2017 is reproduced as below:

“Petitioners No.2, 4, 5, 11 to 30, 31, 32, 34, 38, 40 have been extended benefit of VRS. Insofar as petitioners No. 1,3, 6 to 10, 33, 39, 41 and 42, is concerned their services have been regularized during pendency of this petition. In view of the later development to the extent that some of the petitioners were permitted to accept VRS and remaining employees' services have been regularized, instant petition do not survive for consideration.

Accordingly, CWP stands disposed of.”

5. Mr. Jain, learned counsel for the respondents submits that petitioners have already retired and they have already been paid their retiral dues, thus, the petition has rendered infructuous.

6. In the wake of statement of counsel for respondents, the petition is hereby disposed of with liberty to the petitioners to move an appropriate application, if cause survives.

(JAGMOHAN BANSAL)
JUDGE

16.02.2024
anju

Whether speaking/reasoned	Yes
Whether reportable	No