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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1936-1997
Date of decision: 20.02.2024

LAL SINGH

...Petitioner

VERSUS

HARYANA STATE MITC LTD.

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Richa Sharma, Advocate for
Mr. Amar Vivek Aggarwal, Advocate for the petitioner.

Mr. Pritam Singh Saini, Advocate and
Mr. Lovejeet Poonia, Advocate for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ, order or direction in the nature of *certiorari*, *mandamus* etc. for setting aside the impugned order dated 20.10.1995 (Annexure P-11) and calling upon the respondent to count the regular service of the petitioner as Clerk with effect from 10.09.1973 and in case to grant the benefit of release of second higher standard scale right from 01.01.1994, to re-evaluate his paper “A” of 1995 professional examination and consequently, consider him for promotion to the higher post of Junior Assistant on the basis of his merit-cum-seniority and in any case to pay him the salary as Cashier with effect from 16.02.1994 along with the permissible cash handling allowance.

2. As per the report of the Registry, learned counsel for the parties have been informed with regard to the date fixed for today telephonically.
3. Today, Ms. Richa Sharma, Advocate has caused appearance on behalf of Mr. Amar Vivek Aggarwal, Advocate and has submitted that Mr. Amar Vivek Aggarwal, Advocate is not the counsel for the petitioner in the present case.
4. At this stage, Mr. Pritam Singh Saini, learned counsel for the respondent submitted that the subject matter of the present petition would not survive in view of the fact that the relief is being claimed against the respondent-Corporation, which has already been wound up and is closed from the year 2002 and therefore, the claim itself gets extinguished.
5. In view of the aforesaid position, the present writ petition is dismissed.
6. However, in case any cause of action still survives, then the petitioner shall be at liberty to move an appropriate application for revival of the present writ petition.
7. The Registry is directed to send a copy of this order to the petitioner through registered post.

20.02.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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