



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.18253 of 1998 (O&M)
Date of decision: 22.08.2024

Raj Kumar Kapoor
.....Petitioner
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. A.P. Singh, Advocate for the petitioner.
Mr. Surya Kumar, AAG, Punjab.
Mr. P.S. Thiara, Advocate
and Mr. A.P.S. Virk, Advocate for respondent No.2.

NAMIT KUMAR J. (Oral)

Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, quashing the orders dated 17.04.1997, 23.04.1997 and 18.05.1998 (Annexures P-3, P-4 and P-11) qua respondents No.6 and 7. Further a writ of mandamus has been sought for directing the respondent – authorities to consider the petitioner for appointment to the post of Senior Accountant w.e.f. the dates respondents No.6 and 7, were promoted as Senior Accountants, with all consequential service benefits. Another prayer has been made to issue a writ of Quo Warranto to respondents No.6 and 7 calling upon them to show cause as to how they are holding public posts of Senior Accountants particularly when they are not qualified and eligible for appointment to the said post.



Learned counsel for the petitioner submits that despite his best efforts, he has not been able to get instructions from the petitioner.

Learned State counsel, on instructions from the office of Registrar, Cooperative Societies, Punjab, submits that the petitioner has retired from service as Assistant Manager, on attaining the age of superannuation on 31.12.2008 and even the private respondents No.4 to 8 also stood retired from service.

Learned counsel for respondent No.2, on instructions from the Bank, submits that the petitioner has unfortunately died, however, his legal representatives have not been brought on record.

In this view of the matter, the present petition is dismissed for non-prosecution.

However liberty is granted to legal representatives of the petitioner to revive the present petition in case any cause still survives.

(NAMIT KUMAR)
JUDGE

22.08.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No