



CWP-4675-2000(O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CWP-4675-2000(O&M)
Date of Decision: 08.08.2024

Manjinder Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J.(ORAL)

1. The instant petition has been filed by the petitioner seeking a writ of Certiorari for quashing the termination of the services of the petitioner dated 14.05.1999 with further directions to respondents No.1 to 3 to reinstate the petitioner in service and consider his case for regularisation.
2. Notice of motion in this case was issued on 28.04.2000 and the following order was passed:

“Heard learned counsel and perused the record.

At the hearing of the petition, learned counsel stated that the petitioner would pursue the alternative remedy under the Industrial Disputes Act, 1947 (for short, ‘the Act’) in so far as the termination of his service is concerned. He, however, vehemently submitted that the selection made by respondent No.3 leading to the appointment of respondent nos. 4 to 8 should be quashed because most of the candidates selected are related to the members of Nagar Panchayat. He further contended that one of the persons whose services had been terminated along with the petitioner had been taken back in service but similar action has not been taken in the case of his client.

We accept the request of the learned counsel and grant

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leave to the petitioner to avail the remedy under the Act in so far as the termination of his service is concerned.

Notice of motion is issued for 22.05.2000 to the respondents on the remaining point to show cause as to why the writ petition be not finally disposed of”.

3. Since the notice was issued only with regard to the selection and appointment of respondents No.4 to 8, period of 24 years have elapsed and these respondents might have been retired by now.

4. Learned State counsel on instructions from office of respondent No.2 submits that the petitioner has unfortunately died and no legal representatives have been brought on record.

5. In this view of the matter, present writ petition is dismissed for want of prosecution with liberty to the Legal Representatives of the petitioner to revive the present petition in case any cause still survives.

Pending applications, if any, stand disposed of.

(NAMIT KUMAR)
JUDGE

08.08.2024
anil

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