



568 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-14206-2004

Date of decision: 09.12.2024

V.P.SHARMA AND ORS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Ms. Saguna Arora, AAG, Punjab.

Mr. Saurabh Garg, Advocate for respondent No.3.

NAMIT KUMAR ,J. (ORAL)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India for issuance of a writ of certiorari for quashing the order dated 31.08.2004 whereby the petitioners have prematurely been retired from the service of the respondent-Corporation and directions be issued against the respondents for staying the impugned order dated 31.08.2004.
2. The instant petition has been filed by the petitioners for claiming the following reliefs:

“ ii) to issue a writ in the nature of Certiorari quashing the order dated 31.8.2004 (Annexure P-3) whereby the petitioners have prematurely been retired from the service of the Respondent-Corporation;

It is further prayed that suitable writ, order or a direction especially a writ of Certiorari be issued against the respondent-Corporation declaring that the unconfirmed resolution dated 13.6.2003 (Annexure P-4) of the Board of Directors for amendment/addition in its service Bye Laws without mandatory approval of the Government of Punjab as required under Article 128 of the Memorandum and Articles of Association of the respondent Corporation, is ultra vires of the Constitution of India;

It is further prayed that a suitable writ, order or direction especially a writ of Prohibition be issued against the Respondent-Corporation staying the impugned order dated 31.8.2004 (Annexure P-3) during the pendency of the present writ petition.”

3. On 24.10.2024, the following order was passed:-

*“ Learned counsel for respondent No.3 submits that the present petition survives on behalf of petitioner No.2 only.
There is no representation on behalf of petitioner No.2.
Let notice be issued to Mr. G.P.S.Bal, Advocate counsel for petitioner No.2, returnable on 09.12.2024.”*

4. As per office report, letter to Mr. G.P.S.Bal, learned counsel for petitioner No.2 has been issued and has been informed accordingly. However, there is no representation on behalf of petitioner No.2.

5. In view of the above, the present petition is dismissed for non-prosecution.

09.12.2024

renu

(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No