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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1977-1994

Date of decision:-29.02.2024

The Punjab State and ors.

...Appellants

Versus

Shri Amarjit Singh, Ex-Constable

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Amit Chaudhary, DAG, Punjab.

None for respondent.

SUVIR SEHGAL, J.(ORAL)

1. State – defendants are in second appeal before this Court assailing concurrent finding recorded by both the Courts below.

2. Amarjit Singh, plaintiff – respondent, who was working as a Constable was served with a charge-sheet on the allegation that he was unauthorizedly absent from duty from 12.02.1988 to 13.03.1988. On the basis of the inquiry report, after serving a show-cause notice, he was dismissed from service by order dated 08.02.1989. An appeal preferred by him was rejected by order dated 07.09.1990 and the revision was declined on 24.11.1990. Challenging these orders, he filed a civil suit for declaration, which after contest was decreed by the trial Court by

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judgment and decree dated 10.02.1993. State – Defendants remained unsuccessful in the first appeal, resulting in the present challenge. Instant second appeal was admitted by this Court on 02.09.1994. However, no interim order was passed.

3. Pursuant to order passed by this Court on 19.01.2024 an affidavit of DSP (Headquarter), Kapurthala has been filed, which is taken on record, wherein it has been submitted that the respondent is no longer in service. Upon specific instructions, State counsel has apprised the Court that the respondent was taken back in service and has retired on attaining the age of superannuation.

4. In view of the above developments, this Court is of the view that the present appeal has become infructuous.

5. Dismissed as having been rendered infructuous.

(SUVIR SEHGAL)
JUDGE

29.02.2024

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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No