



CWP-5831-1998 (O&M) 1

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

102

CWP-5831-1998 (O&M)
Date of decision: 24.10.2024

Mohan Lal

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Charanjit Lal, Advocate, for
Mr. Kamal Sehgal, Advocate, for the petitioner.

Ms. Vibha Tewari, AAG, Haryana

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for quashing order dated 03.04.1998 withdrawing the benefit of past service rendered by the petitioner and reverting him from the post of Deputy Superintendent, regarding which *status quo* was ordered by the Division Bench on 28.04.1998 and further continued vide order dated 27.09.1999. The petitioner was made regular on the post of Clerk on 04.03.1970 in the Zila Parishad, as is apparent from para No.2 of the petition, thus he would have, in all probability, retired in the meantime and has since even passed away in which regard, a reference can be made to **Sudarshan Kumar Sharma vs. The State of Punjab and others**, CWP-837-2005, wherein the Division Bench of this Court vide judgment dated 21.02.2013, held thus:

“The petitioner was appointed as Sanitary Inspector, Municipal Committee, Ludhiana and he earned promotions



from time to time. In the year 1994, he was promoted as Superintendent Vaccination. Thereafter, in the year 1997, he was given promotion to the post of Registrar (Births & Deaths), Municipal Corporation, Ludhiana vide orders dated 28.5.1997. Subsequently, show cause notice dated 16.1.2003 was issued to him which culminated in his reversion from the post of Registrar (Births & Deaths). Challenging these orders, the petitioner filed the instant writ petition. The petitioner also prayed for interim stay of operation of the reversion orders. Interim orders were passed in his favour by this Court. Under the umbrella of the said stay orders, the petitioner continued to work as Registrar (Births & Deaths) and has since retired as well from that post on 31.12.2009. As the petitioner, on account of stay order, continued to work as Registrar (Births & Deaths) and has even retired from that post, it is not necessary to go into the validity of the orders impugned in this petition.

Retiral benefits, if not paid, shall be released to the petitioner as if the petitioner had retired as Registrar (Births & Deaths).

The writ petition is, accordingly, disposed of.” (Emphasis Supplied)

- 2. Learned State counsel has been unable to controvert the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.
- 3. The present petition is disposed of in terms of the judgment passed in **Sudarshan Kumar Sharma** (supra).
- 4. Pending application(s), if any, also stand(s) disposed of.

(AMAN CHAUDHARY)
JUDGE

October 24, 2024
dinesh

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