

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

229

CWP-6347-2019

Date of decision: 28.02.2024

Amardeep Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present : Mr. P.S. Khurana, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

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**AMAN CHAUDHARY. J.**

1. The prayer in the present petition is for directing the respondents to either trace or reconstruct the service book of the petitioner and subsequently grant him the benefits of pay fixation from 01.01.2006, alongwith consequential benefits at the interest of 12% per annum till realisation of the said benefit.

2. Learned State counsel submits that as per the prayer made, the needful has been done for which, he has referred to Annexures R-1/T and R-2/T, and para Nos.1 and 2 of the reply filed by way of an affidavit of Gurdas Singh, Sale Tax Officer, dated 25.11.2020, which read thus:-

“1. That the instant civil writ petition has been filed by the petitioner for issuance of writ in the nature of mandamus directing the respondents to trace or reconstruct the service book of the petitioner and grant the benefits of pay fixation after the grant of annual increments from the year 2000 and thereafter, further pay fixation w.e.f. 01.01.2006 and grant of all the consequential benefits along with arrears of pay and other emoluments with interest @ 12% per annum from the date the benefits became due till the realization of the said benefits. In this regard, it is submitted that vide office order dated 6.07.2020 & 10.09.2020 (Annexure

R-1/T & R-2/T) all the grievances of the petitioner as raised through the instant writ petition with regard to reconstruction of service book & pay fixation from the year 2000 to till date have been resolved after examining the matter meticulously. As such the present writ petition has become infructuous deserves to be dismissed.

2. That the brief facts of the case are that vide office order dated 30.04.2010 the petitioner was promoted as Excise and Taxation Officer, but due to non availability of service book the pay of the petitioner could not be fixed accordingly. Now, through the instant writ petition petitioner has prayed for completion of his service book & fixation of pay accordingly. However, now the service book of the petitioner has been reconstructed and being Excise Inspector the pay of the from 01.12.1998 to 01.12.2009 has been fixed vide office order dated 06.07.2020 passed by the Assistant Excise & Taxation Commissioner, Saheed Bhagat Singh Nagar (Annexure R-1) & thereafter, vide office order dated 10.09.2020 the pay of the petitioner has been fixed from 01.12.2009 to 10.10.2019 by granting all the annual increments from due dates (Annexure R-2). All the benefits as claimed by the petitioner through the instant writ petition have been granted to the petitioner as per entitlement. Hence, the present petition filed by the petitioner has become infructuous and deserves to be dismissed in the interest of justice.”

3. The aforesaid satisfies the learned counsel for the petitioner.

4. In view of the above, the present petition stands disposed of as having been rendered infructuous with liberty to the petitioner to approach the department, if any claim still subsists.

(AMAN CHAUDHARY)  
JUDGE

28.02.2024

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Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No