

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CWP-9143-1997
Date of Decision : 19.01.2024

VIJAY KUMAR AND OTHERS

..... PETITIONERS

V/S

PUNJAB MANDI BOARD AND ANOTHER

..... RESPONDENTS

2.

CWP-9498-1997

JIT KOMAL

..... PETITIONER

V/S

PUNJAB MANDI BOARD & ORS

..... RESPONDENTS

3.

CWP-9532-1997

JAGRAJ SINGH

..... PETITIONER

V/S

PUNJAB MANDI BOARD & ANOTHER

..... RESPONDENTS

4.

CWP-11274-1997

VED PARKASH GROVER

..... PETITIONER

V/S

PUNJAB MANDI BOARD AND ANOTHER

..... RESPONDENTS

CWP-9143-1997 and other
connected matters

-2-

2024:PHHC:007112

5.

CWP-12096-1997

DARSHAN SINGH

..... PETITIONER

V/S

PUNJAB MANDI BOARD AND ANOTHER

..... RESPONDENTS

6.

CWP-14108-1997

BHUPINDER SINGH & ORS

..... PETITIONERS

V/S

STATE OF PUNJAB & ORS

..... RESPONDENTS

7.

CWP-14165-1997

DARSHAN GOPAL & ORS

..... PETITIONERS

V/S

STATE OF PUNJAB & ORS

..... RESPONDENTS

8.

CWP-14244-1997

AMARJIT SINGH

..... PETITIONER

V/S

THE PUNJAB STATE AGRICULTURAL
MARKETING BOARD & ORS

..... RESPONDENTS

9.

CWP-18698-1998

HARNEK SINGH

..... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.B.S.Patwalia, Advocate
Mr. Abhishek Masih, Advocate
for the petitioners in CWP No.9143 & 9532 of 1997.

Ms. Kavita Arora, Advocate for
Mr. S.C.Pathela, Advocate
for the petitioner in CWP No.11274 of 1997 and
for respondents No.3 to 7 in
CWP Nos. 14108 & 14165 of 1997.
Mr. Deepanjay Sharma, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order, the above-said petitions are disposed of as issue involved in all the petitions is common. For the sake of convenience, the facts are borrowed from CWP-9143-1997.

2. The petitioners through instant petition under Articles 226/227 of Constitution of India are seeking setting aside of order dated 30.06.1997 (Annexure P/12) whereby they have been reverted from the post of Secretary, Market Committee to the post of Head Clerk.

3. On 01.05.2023, the following order was passed :

“In the present writ petitions, the petitioners raised grievance w.r.t. to their reversion from the post of Secretary, Market Committee to that of Head Clerk.

On 4th of July, 1997 reversion of the petitioners was stayed. On 17th of September, 1997 the matter was ordered to be admitted with the interim order to continue. Now the matter has been listed after 26 years.

Counsel for the parties to find w.r.t. the status of employment of the petitioners before the next date of hearing.

Adjourned to 4th of December, 2023.

*A copy of this order be served upon
counsels representing the parties.*

*A copy of this order be kept on the files of
other connected cases.”*

4. The petitioners initially were promoted as Secretary, Market Committee on officiating basis and later on came to be promoted on regular basis. The respondents, by impugned order, ordered to revert them from the post of Secretary, Market Committee to Head Clerk. The matter came up for consideration before a Division Bench of this Court which vide order dated 04.07.1997 directed the respondents not to revert the petitioners. The said order till date has not been recalled.

5. Ms. Kavita Arora, Advocate appearing in CWP No.11274 of 1997 submits that the petitioners on attaining the age of superannuation have already retired.

6. Mr.B.S.Patwalia, Advocate appearing in CWP No.9143 & 9532 of 1997 submits that he has no instructions from his clients.

7. The petitioners were not reverted on account of order dated 04.07.1997 passed by this Court. It appears that all the petitioners have either retired or with the efflux of time, lost their interest to pursue the matter. The petitioners have already worked on the post of Secretary for almost three decades, thus, at this stage, it would not be appropriate to recall stay order especially when there is no application of the respondents. It appears that with the efflux of time, both sides have settled the dispute.

8. In the wake of aforesaid facts and to rest the litigation, all the petitions stand disposed of.

9. It is made clear that the parties would be at liberty to move an appropriate application, if something survives.

19.01.2024
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>