

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(212)

RSA-1447-1995

Date of decision:- 15.01.2024

State of Punjab and others

...Appellants

Versus

Raj Kumar Sharma

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vikas Arora, AAG, Punjab.

None for the respondent.

SUVIR SEHGAL, J. (ORAL)

1. This is State’s second appeal against concurrent finding of fact recorded by both the Courts below.
2. Plaintiff-respondent, who was serving as Inspector, Wireless, in the Punjab Police, filed a suit for declaration to the effect that his date of birth is 01.05.1934 and not 07.06.1932 and that he is entitled to continue in service till 01.05.1992, i.e., the date on which he attains the age of superannuation. After contest by the State-defendant, suit was decreed by the Trial Court by judgment and decree dated 04.02.1992 and an appeal, preferred by the defendant-State, was dismissed on 22.11.1994.
3. Upon instructions, State counsel submits that during the pendency of the appeal before the Lower Appellate Court, plaintiff-respondent retired on attaining the age of superannuation in 1992. He submits that the appeal has become infructuous.
4. Dismissed as having been rendered infructuous.

15.01.2024

Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No