

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102)

RSA No. 1901 of 1996 (O&M)
Date of Decision : 29.01.2024

Superintending Engineer, H.S.E.B., Karnal

...Appellant

Versus

Ish Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Satyam Tandon, Advocate for the appellant.

Mr. Shailendra Jain, Advocate and
Mr. Munish Kumar, Advocate for respondent No. 1.

Harsimran Singh Sethi J. (Oral)

In the present regular second appeal, the challenge is to the judgments and decrees of the courts below by which, the suit filed by the respondents-plaintiffs so as to seek appointment to the post of Meter Reader in pursuance to the direct selection has been allowed vide judgment and decree dated 15.09.1995 and the appeal filed by the appellant-defendant has been dismissed vide order dated 10.04.1996.

Learned counsel appearing on behalf of the appellant-defendant submits that present appeal was filed in the year 1996 and 28 years have elapsed since the filing of the present regular second appeal and as there was no interim order, the judgments and decrees of the courts below have already been executed and the respondent-plaintiff is

in service for the last 28 years even though, the execution of the judgments and decrees of the courts below was subject to the outcome of the present appeal.

Learned counsel for the respondent-plaintiff submits that respondent-plaintiff was not only allowed to join but he has already been given further promotion in service and there is no blot in the service career of the respondent-plaintiff.

Learned counsel for the appellant-defendant submits that as the judgments and decrees of the courts below have already been executed, by keeping the question of law open, the present appeal may kindly be disposed of having been not pressed due to efflux of time.

Ordered accordingly.

Any miscellaneous application, if pending, stands disposed of.

January 29th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No