



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

619

CWP-10775-2005 (O&M)

Date of decision: 12.09.2024

Vijay Parkash Lamba

....Petitioner

Versus

State of Haryana and Others

...Respondents

CWP-10805-2005 (O&M)

Om Parkash Kanwar

....Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioners

Mr. Tapan Kumar, DAG Haryana

AMAN CHAUDHARY, J. (ORAL)

1. These cases involve similar issues and therefore, are being disposed of together by this common judgment.
2. The prayer in the present petitions is for quashing the impugned orders, whereby the petitioners were reverted from the post of Junior Auditor to Clerk, operation of which was stayed by the Division Bench on 18.07.2005 and 19.07.2005 and made absolute vide order dated 30.03.2006. During pendency, the petitioners are stated to have retired from service and in **Sudarshan Kumar Sharma vs. The State of Punjab and others**, CWP-837-2005, wherein similar set of facts were involved, the Division Bench of this Court vide its judgment dated on 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)

- 3. Learned State counsel being unable to controvert the factual position and draw out any distinctive the above, the present petitions are disposed of in terms of the judgment passed in **Sudarshan Kumar Sharma** (supra).
- 4. A photocopy of this order be placed on the file of connected case.

(AMAN CHAUDHARY)
JUDGE

12.09.2024
M.Kamra

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