



RSA-136-1999

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

(201)

RSA-136-1999

Date of Decision: - 22.10.2024

State of Haryana and another

....Appellants

Versus

Matri Devi and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Jagdish Manchanda, Addl. Advocate General, Haryana  
for the appellants.

Mr. Jagdeep Singh Virk, Advocate  
for the respondents.

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**VIKAS BAHL, J. (ORAL)**

1. A perusal of the paper-book would show that the present civil suit was filed in the year 1993 for declaration to the effect that the plaintiff/respondent was entitled to re-fixation of pay @ Rs.3,000/- w.e.f. 01.04.1991 in the modified scale of Rs.2000-3500 alongwith all pensionary benefits and interest @ 18% per annum. The said suit was dismissed by the trial Court and the 1<sup>st</sup> Appellate Court had allowed the appeal to the extent that the plaintiff was entitled to re-fixation of his pay at Rs.2975/- from 01.04.1991 in the modified scale of Rs.2000-3500 alongwith pensionary benefits and interest.

2. Notice was issued by a Co-ordinate Bench of this Court on 20.01.1999 on a limited question as to the date from which the date of

increment was to be given to the respondent/plaintiff and thereafter, the matter was admitted. No interim stay was passed in favour of the State. The respondent/plaintiff is stated to have died. It could also not be disputed that the benefits had already been given to the deceased in view of the fact that there was no stay order.

3. Learned State counsel has submitted that in view of the above-said facts and circumstances, the present appeal be disposed of as having been rendered infructuous, but liberty be granted to the appellant to revive the same in case any cause survives.

4. In view of the above, the present appeal is disposed of, as having been rendered infructuous.

5. Liberty is granted to the appellant to move an application for revival of the present appeal in case any cause survives.

October 22, 2024  
naresh.k

( VIKAS BAHL )  
JUDGE

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|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |