

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

RSA-425-1998 (O&M)

Date of Decision :05.04.2024

Punjab State through Collector Gurdaspur
and another

...Appellants

Versus

Balkar Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rohit Ahuja, DAG, Punjab for the appellant-State.

Mr. H.S. Bedi, Advocate for the respondent along with
Ms. Jagdish Kaur w/o Balkar Singh-respondent
(since deceased).

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present appeal, challenge is to judgment and decree of the Courts below by which, the suit filed by the respondent-plaintiff has been allowed.

2. An affidavit has been filed by the legal heir of the respondent-plaintiff i.e. wife of the respondent-plaintiff, who is present in the Court, stating that as Balkar Singh already died in the year 2006, after whose death, the wife of the respondent-plaintiff has already been appointed in the department on compassionate basis, legal heir of the respondent-plaintiff is not interested in pursuing the present remedy and the suit filed by respondent-plaintiff be treated to be withdrawn.

3. Keeping in view the fact that as the respondent-plaintiff has died and the legal heir of the respondent-plaintiff has already been granted

benefit of service on compassionate ground after his death and affidavit has been filed by the legal heir of Balkar Singh that she was not interested in pursuing the present remedy and the suit filed by the respondent may kindly be treated to be withdrawn, said prayer is accepted and the suit filed by the respondent-plaintiff is treated having been withdrawn.

4. Keeping in view the fact that suit filed by the respondent-plaintiff stands withdrawn, present regular appeal has been rendered infructuous and the same is disposed of as such.

5. An affidavit filed by the legal heir of the respondent-plaintiff is taken on record and is marked as Ex-X.

April 05, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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