



103-2

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

CWP No.12377 of 2004 (O&M)

Date of Decision: 20.11.2024

Mehar Dass Sharma and others

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Amit Jain, Senior Advocate with
Mr. Varun Parkash, Advocate
for petitioners.

Mr. R.S. Pandher, Senior D.A.G, Punjab
for respondents No.1 to 3.

Mr. D.S. Patwalia, Senior Advocate with
Ms. Alisha Sharda, Advocate
for respondent No.4.

LISA GILL, J.(Oral)

1. Prayer in this petition is to declare the notification dated 29.06.2004 (Annexure P-7) and promotion order dated 22.07.2004 (Annexure P-9) to be illegal, arbitrary, malafide, politically motivated and violative of Articles 14 and 16 of the Constitution of India and to quash the same.

2. Prayer has also been addressed for directing the respondents to consider petitioners for promotion to the post of Deputy Secretary/Under



Secretary in accordance with the un-amended Rule 8(1)(b) of the Punjab Financial Commissioners' Secretariat (Class I) Service Rules, 1986.

3. Admittedly, the petitioners as well as respondent No.4 have since retired. The matter has been adjourned to enable learned counsel for the petitioners to seek instructions regarding survival of cause of action as on date.

4. Learned counsel for petitioners submits that he has been unable to contact the petitioners despite best efforts and neither have they contacted him in all these long years.

5. Keeping in view the above, we are constrained to dismiss this writ petition for non-prosecution with liberty to petitioners to file appropriate application within eight weeks in case the cause of action survives.

6. Ordered accordingly.

7. Pending application, if any, also stands disposed of.

(LISA GILL)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

November 20, 2024
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No