



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

207

CWP-268-2011 (O&M)
Date of decision : 10.09.2024

Sandeep Kataria

....Petitioner

V/S

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Surya Kumar, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India claiming the following relief :-

“a) to issue an appropriate writ, order or direction for setting aside the order dated 24.12.2010 (Annexure P-24) passed by the respondent No.2 vide which respondent No.2 has directed respondent No.4 to withdraw the Appointment Letter dated 15.11.2010 (Annexure P-17) issued to the petitioner and directed respondent No.6 to suspend the petitioner and initiate proceeding for his termination from service and order dated 24.12.2010 (Annexure P-25/T) passed by respondent No.4 vide which the Appointment Letter dated 15.11.2010 issued to the petitioner has been withdrawn and the order dated 29.12.2010 (Annexure P-27) vide which the petitioner has been terminated from his service, since these impugned orders dated 24.12.2010 (Annexures P-24 & P-25/T) and order dated 29.12.2010 (Annexure P-27) are illegal, arbitrary and against the principles of natural justice;

b) issue any other writ, order or direction to respondents No.1 to 5 to allow the petitioner to join his duty on the post of Senior TB Laboratory Supervisor (STLS) at Ferozepur, in pursuance of the appointment letter dated 15.11.2010 (Annexure P-17) issued to him, OR in

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alternative issue an appropriate writ, order or direction to respondents No.1 to 3, 6 & 7 to reinstate the services of the petitioner on the post of Senior TB Laboratory Supervisor (STLS) at Sri Muktsar Sahib;

c) issue any other writ, order or direction for setting aside the illegal appointment of respondent No.9 on the post of Senior TB Laboratory Supervisor (STLS) at Ferozepur since the petitioner was selected for the said post and was issued appointment Letter dated 15.11.2010 (Annexure P-17) which has now been withdrawn illegally vide impugned orders dated 24.12.2010 (Annexure P-24 & P-25)."

2. The present case was adjourned sine-die vide order dated 31.07.2013 to await the decision of SLP (Civil) No.16755 of 2011. The said SLP has been decided by Hon'ble Supreme Court vide judgment dated 18.01.2022 and consequently, the instant petition has been listed for hearing.

3. There is no representation on behalf of the petitioner.

4. Learned State counsel has produced a copy of e-mail dated 28.11.2014 sent by District Programme Officer (Tuberculosis), RNTCP, Fazilka, Punjab, which is taken on record. In the said e-mail it has been stated that the petitioner has resigned from the post of Senior Treatment Laboratory Supervisor on 21.11.2014. He submits that in view of the said resignation, nothing survives in the present petition.

5. Disposed of as having become infructuous. However, liberty is granted to the petitioner to revive the same in case any cause still survives.

10.09.2024*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No